

# Appendix F **COMMENTS AND RESPONSES**

## *for the* ***J.W. Corbett Wildlife Management Area Proposed Land Transfer***

*Palm Beach and Martin Counties, Florida*

**JULY 2005**

*Prepared For:*



## **Public Open House Overview**

The US Fish and Wildlife Service (Service) prepared an Environmental Assessment (EA) for a land transfer in the J.W. Corbett Wildlife Management Area (JWCWMA). A Notice of Availability was published in the Palm Beach Post to inform the public that the EA was available for review from January 10, 2005 through February 10, 2005. In addition, a Public Open House was held on Wednesday, February 2, 2005, from 6:00 p.m. to 9:00 p.m. at the Western Pines Middle School, 5949 140th Avenue North, Royal Palm Beach, Florida. A ¼ page display advertisement announcing the Open House was published in the Palm Beach Post on December 31, 2004.

A total of 39 members of the public signed the attendance sheets at the Open House. The Public Open House was held to afford citizens the opportunity to effectively participate in the review of the proposals, learn about them, and express their views concerning the proposed land transfer within the JWCWMA. The analysis considered the potential direct, indirect, and cumulative impacts associated with the proposed change in use of JWCWMA lands, as well as the proposed replacement land for those land uses that are considered incompatible. Aerial photos, conceptual plans, and project information were available for public viewing. Representatives from the Service and Palm Beach County (the County) were available to answer questions and receive comments.

## **Comments and Responses**

There were a total of 30 written comments received from the public. Comments were received at the Open House, on the project website, and through the mail during the ten-day comment period following the Open House. During the Open House, the Service, County, Florida Department of Environmental Protection (FDEP), Florida Fish and Wildlife Conservation Commission (FWC), and Consultant staff were available to answer questions and take comments. Most of the verbal comments from the public to staff members were clarifications of information and questions regarding the display materials. The written comments received were sorted as follows:

**In Favor of the Proposed Action:      4**

**Opposed to the Proposed Action:    21**

**No Preference:                                5**

Below are the 30 written comments that were received from the public, and following each comment is a response to that comment.

**All of the following comments are provided verbatim without edits.**

### **Comment 1:**

*(1) The Sub Station does not belong on Corbett! I do not want any change in land use within JW Corbett Wildlife Mgt Area. No land transfer within JWCWMA. (2) Why are we mitigating in Martin County (No Action Alternative). (3) US Fish & Wildlife should have given the public a presentation. This is wrong!! (4) There needs to be an EIS!!!!*

**Response 1:** (1) The comments regarding the Florida Power and Light (FP&L) substation and the change in land use are noted.

(2) The Minkin Parcel, though in Martin County, is contiguous to the JWCWMA and was on the Florida Fish and Wildlife Conservation Commission's acquisition list of environmental lands in the area. The 60-acre Minkin Parcel is a natural wetland area consisting of hydric pine flatwoods, freshwater marsh, sawgrass marsh, and cypress stands and provides for more high-quality habitat (a 2:1 ratio) to compensate for the proposed action on JWCWMA. (See Section 4.5.7.4, Loss of JWCWMA Lands, of the EA.)

(3) The Public Open House provided a presentation of the facts of the study through graphics and the presence of staff to discuss comments in a one-to-one manner. (See Section 1.3.3, EA Public Information Meeting, of the EA.)

(4) Per National Environmental Policy Act (NEPA) guidelines, when the significance of impacts related to a project proposal involving any agency of the Federal government is uncertain, an EA is prepared to assist in making this determination. If it is found that significant impacts will result, an environmental impact statement (EIS) will be prepared. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, and Figure 1-3 of the EA.)

**Comment 2:** *I believe the Service should approve all easements requested by the County and/or FWC. Specifically Alternatives 1A and 1B. These alternatives will not result in any net harm to the environment and wildlife. Actually, these alternatives will provide a net benefit to the environment by creating a flow way for the District's CERP project that will restore water flows to the Loxahatchee River. In addition Corbett will receive 60 acres while losing use of only 30 acres. No doubt that the proposal alternatives (1) is in the Best Interest of all concerned.*

**Response 2:** The comment expressing agreement with the proposed action is noted. Once all comments have been considered and evaluated, the Service will make the decision to either approve the proposed action and prepare a Finding of No Significant Impact (FONSI) or to prepare an EIS. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, and Figure 1-3 of the EA.)

**Comment 3:** *If the Corbett MUST be impacted, I would prefer the Alternative with the least amount of impact to the Corbett and the homeowners on Seminole Pratt. Quite frankly, it would be best if all were left alone, but I'm sure that thinking is fantasy. After careful consideration, I feel that the Alternative that best suits all is - Alternative 1B.*

**Response 3:** The comment stating that Alternative 1B best suits all involved is noted. Once all comments have been considered and evaluated, the Service will make the decision to either approve the proposed action and prepare a FONSI or prepare an EIS. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, and Figure 1-3 of the EA.)

**Comment 4:** (1) *All presented alternatives are unacceptable.* (2) *We need a "no action" alternative. I enjoyed 'Outdoor Woman' at Corbett. Keep substation out.* (3) *Do not break up natural areas. No Scripps at Mecca. Sierra Club.* (4) *An EIS is definitely needed.*

**Response 4:** (1) The comment expressing disagreement with the presented alternatives is noted.

(2) The action for this project is the proposed change in land use on the JWCWMA and the “No Action” is the alternative that uses no land from the JWCWMA. Palm Beach County has indicated that the development in the area and the extension of Seminole Pratt Whitney Road is not dependent on this action, and will in fact proceed with or without the approval of this action. (See Section 4.1, Summary of Effects, of the EA.)

(3) The Minkin Parcel, though in Martin County, is contiguous to the JWCWMA and was on the FWC’s acquisition list of environmental lands in the area. The 60-acre Minkin Parcel is a natural wetland area consisting of hydric pine flatwoods, freshwater marsh, sawgrass marsh, and cypress stands and provides for more contiguous high-quality habitat (a 2:1 ratio) to compensate for the proposed action on JWCWMA. (See Section 4.5.7.4, Loss of JWCWMA Lands, of the EA.)

(4) Per NEPA guidelines, when the significance of impacts related to a project proposal involving any agency of the Federal government is uncertain, an EA is prepared to assist in making this determination. If it is found that significant impacts will result, an EIS will be prepared. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, and Figure 1-3 of the EA.)

**Comment 5:** *(1) Alternative 1B would be my choice. The plan with the least amount of impact on both the Corbett and the surrounding home owners. (2) Public input should be recorded verbally.*

**Response 5:** (1) The comment regarding the preference for Alternative 1B is noted.

(2) Public comment carries the same weight no matter what form it takes, whether written or oral. Once all comments have been considered and evaluated, the Service will make the decision to either, approve the proposed action and prepare a FONSI or to prepare an EIS. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, and Figure 1-3 of the EA.)

**Comment 6:** *To whom it may concern: Thank you for the open house. At this time I would just like to make a few comments for the record. 1. Corbett Canal? Unknown and undescribed and yet it will consume the lions share of swapped land. This is to facilitate the rock pit water they hope to push back and forth. Corbett Canal and rock pit water it doesn’t make sense. 2. Alternative 1B is no good. 3. Why is the alternative of keeping it completely contained on Mecca not shown. 4. Many maps are outdated and have old line old configurations. 5. What type of precedent does this set?*

**Response 6:** (1) The Corbett Canal is the name that has been used for the proposed canal on the JWCWMA property that is shown as a component of the proposed action - Alternative 1B. Alternative 1B takes into account flow way alternatives being considered by the Comprehensive Everglades Restoration Program (CERP) to improve flows to the Loxahatchee River. (See Sections 4.5.3.2, 4.5.7.2, and 4.6.2 of the EA.)

(2) The comment regarding opposition to Alternative 1B is noted.



(3) There is no practical alternative that will completely contain the canal on the Palm Beach County Biotechnology Research Park (PBCBRP) site.

(4) The information shown at the Open House was the latest available from the sources noted (e.g., Palm Beach County, USFWS, FWC, South Florida Water Management District [SFWMD], etc.). The maps included in the report were the latest available. These maps provide an accurate depiction for planning purposes of each of the alternatives.

(5) Federal Regulations do not prohibit the state from requesting an easement on real property acquired with Federal Aid funds. However, the granting of the easement will prevent 30 acres of land on JWCWMA, from serving the purpose for which it was acquired. Therefore, we have requested compensation. In accordance with 50 CFR 80.14 (b), which states that real property acquired or constructed with Federal Aid funds must continue to serve the purpose for which acquired or constructed. Under (b)(1), when such property passes from management control of the fish and wildlife agency, the control must be fully restored to the state fish and wildlife agency or the real property must be replaced using non-Federal Aid funds. Replacement property must be of equal value at current market prices and with equal benefits as the original property.

**Comment 7:** *I am opposed to this Corbett trade off. Don't mess with the wildlife preserve. An FPL substation has no business on a preserve. Give an inch they'll take a mile. It should revert back to the McArtleus Foundation. No! No! You will never live this down!*

**Response 7:** The comment regarding opposition to the land use change on JWCWMA is noted. By proposing the 60-acre Minkin Parcel as compensation, a natural wetland area is being offered to provide for more contiguous high-quality habitat (a 2:1 ratio) to compensate for the proposed action on JWCWMA. (See Section 4.5.7.4 Loss of JWCWMA Lands, of the EA.)

**Comment 8:** *(1)The environmental assessment stated a low occurrence of a variety of species. As a 6 year resident on the J.W. Corbett Wildlife Management Area I can assure you the species listed were seen quite often on both the Corbett property and Mecca Farm property. (2) I am appalled that a biologist would state a low occurrence of alligators in a wetland area. Alligators constantly would be seen crossing the Seminole Pratt Whitney Rd between these two properties. I traveled that road a minimum of two times a day and would see wildlife (a variety of species) on a daily basis again on both properties. (3) Widening Seminole Pratt Whitney to a six lane highway will definitely have an impact on the wildlife! South Florida is dependent on wetland area to replenish our groundwater supply. (4) Your current road proposals would run 2 major highways through or along 3 environmentally sensitive wetland areas. The run-off from these roadways will impact the quality of water for the residents of West Palm Beach. The Scripps development is not just impacting the Loxahatchee area but will eventually impact all of South Florida. The increase in vehicles, industry and population of people in this area will negatively impact the entire area. (5) How will the Minkin property be managed? The area will need a burn plan; however, it is bordered on the east by SR 710, the west by power lines and the south Pratt Whitney. It will be virtually impossible to get a wind direction suitable to manage this property effectively. Overall, I am amazed that the US Fish and Wildlife would put this document before the public. I would be embarrassed to be associated with so much garbage - miss information. Putting Scripps on the Mecca property would be an environmental disaster for South Florida!!*

**Response 8:** (1) Criterion used to determine species inclusion within the protected species table included species specific data (e.g., habitat preferences, life cycle data, etc.) as well as field reviews for determination of potential occurrence. Initially, Federally and state listed species that occur within Palm Beach County were determined using information contained within 50 Code of Federal Regulations (CFR) Parts 17.11 and 17.12, Rules 68A-27.003 through .005 and Chapter 5B-40 Florida Administrative Code (FAC). Once a potential list of protected species was generated, each species was researched for habitat preferences and documented occurrences within the area. Species were then subsequently removed from the list based upon a lack of habitat (i.e., no sea turtles within inland/upland habitat). The final list that provides the basis for Table 3-7 in Section 3.4.5.3 includes all species that have the potential of occurrence within the study area based upon reasonable scientific judgment. Additional coordination with FWC staff located on the JWCWMA resulted in the addition of ten state listed species to Table 3-7 of the EA and the change in the probability of occurrence of an additional seven species originally listed in this table. It should be noted that species included within the table were defined as either endangered, threatened, or species of special concern. The table does not include any Federal candidate species or species proposed for listing as there are no species proposed for listing within Palm Beach County, and the only candidate species within the county is the opossum pipefish (*Microphis brachyurus*) which is a marine fish species.

(2) Based on additional coordination with FWC staff located on the JWCWMA, ten state listed species have been added to Table 3-7 in Section 3.4.5.3 of the EA and the probability of occurrence of an additional nine species originally listed in this table has been changed. This includes the change from low to high of the American alligator.

(3) The widening of Seminole Pratt Whitney Road may increase the likelihood of road kill of many common species found on the JWCWMA (such as deer, raccoon, etc.). However, the road widening will require environmental permits from both Federal (U.S. Army Corps of Engineers [USACE]) and state (SFWMD) regulatory agencies. As part of the review of these permit applications, the Service and the FWC will have the opportunity to review the proposed roadway widening plan and recommend modifications and/or additions to the plan which will minimize impacts to wildlife. Additions and modifications to the plans could include measures to minimize these impacts either through design or management changes. This information is reflected in Section 4.5.7.3 of the EA.

(4) There is only one roadway associated with the proposed action - Seminole Pratt Whitney Road. The proposed widening of Seminole Pratt-Whitney Road will require an Environmental Resource Permit (ERP) from SFWMD (Appendix A, Advance Notification). Seminole Pratt Whitney Road would be designed to include water quality treatment of runoff from the roadway per SFWMD 40E-4, FAC requirements. Treatment would occur in swales, detention ponds, etc., prior to discharge to offsite areas. (See Section 4.5.2 of the EA.)

(5) Management of the Minkin Parcel will be determined by the FWC. However, it is envisioned that this parcel will be added to the existing JWCWMA management plan (*A Conceptual Management Plan for J.W. Corbett Wildlife Management Area, 2003-2013*). Based on information provided by the JWCWMA manager, fire management under north or northeast winds would not be feasible in most instances. Logistic difficulties associated with the adjacent site are noted. In instances where prescribed burning is not feasible, mechanical means of

vegetation control can be utilized in the flatwood areas of the Minkin property. This information is reflected in Section 4.6.1.3 in the EA.

The action for this project is the proposed change in land use on the JWCWMA and the “No Action” is the alternative that uses no land from the JWCWMA. The PBCBRP project is not dependent on the proposed action and is not part of the proposed action.

**Comment 9:** *This FPL substation is an inappropriate use for Corbett land that has been set aside for 30 to 40 years as environmental conservation and management. To do this would be solely to accommodate BIG BUSINESS, and their political allies within Palm Beach County.*

**Response 9:** The comment regarding opposition to the placement of a substation on JWCWMA is noted. Once all comments have been considered and evaluated, the Service will make the decision to either, approve the proposed action and prepare a FONSI or to prepare an EIS.

**Comment 10:** *(1) First: The environmental assessment provided by the US Fish & Wildlife Service has many inaccuracies. The wildlife survey is wrong. There are many species of wildlife present on the proposed substation site including alligators, sand hill cranes, snail kites, bobcat, wading birds, deer, amphibians. There are other sites available and better suited for the Scripps project. (2) The proposed electric substation creates significant impacts to surrounding wildlife including the lack of proper land management as controlled burns become difficult or impossible under a major electric substation. (3) Taking wildlife area for road expansion creates many negative impacts including noise, water run-off contamination, wildlife road hazards and (4) restricts the ability to hunt on surrounding lands due to restrictions on firing guns within proximity to roadways. Currently NO ROAD EXISTS. There is a 60 foot easement. It is not in the public interest to take lands that are in wildlife preservation to aid the commercial development next door. (5) This evaluation treats the proposed electric substation site as an isolated island instead of part of a larger ecosystem and that approach is also poor policy and bad science. (6) I demand the Service conduct an Environmental Impact Statement. I oppose the taking of any JW Corbett land for an electric substation or to aid development.*

**Response 10:** (1) The information presented in the EA came from direct observation and surveys, or was provided by qualified sources as noted in Section 3.4.5, Wildlife and Habitat. Criterion used to determine species inclusion within the protected species table included species-specific data (e.g., habitat preferences, life cycle data, etc.) as well as field reviews for determination of potential occurrence. Initially, Federally and state listed species that occur within Palm Beach County were determined using 50 CFR Parts 17.11 and 17.12, Rules 68A-27.003 through .005 (FAC), and Chapter 5B-40 FAC. Once a potential list of protected species was generated, each species was researched for habitat preferences and documented occurrences within the area. Species were then subsequently removed from the list based upon a lack of habitat (i.e., no sea turtles within inland/upland habitat). The final list that provides the basis for Table 3-7 includes all species that have the potential of occurrence within the study area based upon reasonable scientific judgment. Additional coordination with FWC staff located on the JWCWMA has resulted in the addition of ten additional state listed species to Table 3-7 of the EA and the change in the probability of occurrence of an additional nine species originally listed in this table. It should be noted that species included within the table were defined as either endangered, threatened, or species of special concern. The table does not include any

Federal candidate species or species proposed for listing as there are no species proposed for listing within Palm Beach County, and the only candidate species within the county is the opossum pipefish (*Microphis brachyurus*) which is a marine fish species.

The probability of occurrence ranking of either low, medium, or high is based upon definition found within Section 3.4.5.3, Wildlife, of the EA. These definitions are based upon the presence of preferred species habitat within project alternatives, documented occurrences of the species within one mile of project alternatives, and/or field review sightings of the species within project alternatives. Finally, the table has been reviewed and we have incorporated the comments and revised the table based on comments by the JWCWMA manager.

(2) Management of the JWCWMA is determined by the FWC. The management plan addresses fire management for the JWCWMA. The plan can be viewed on the world-wide web at <http://wld.fwc.state.fl.us/planning>. (See Section 4.6.1.3 of the EA.)

(3) The proposed roadway would be designed to include water quality treatment of runoff from the roadway per the SFWMD 40E-4, FAC requirements. Treatment would occur in swales, detention ponds, etc. prior to discharge to offsite areas. (See Section 4.5.2 of the EA.)

(4) Currently there are hunting restrictions on the JWCWMA where it is adjacent to Pratt Whitney property and SR 710. (See JWCWMA hunting brochure located on the world-wide web at [http://myfwc.com/recreation/jw\\_Corbett](http://myfwc.com/recreation/jw_Corbett) and the management plan located on the world-wide web at <http://wld.fwc.state.fl.us/planning>.) (See Section 4.6.1.2 of the EA.)

(5) The substation is an integral part of the analysis of the land use change and its aggregated impacts. The EA, in Section 4.0, Environmental Consequences, and Appendix E, Cumulative Effects, discusses in detail the impacts of the proposed action (the change in land use on 30 acres of JWCWMA lands) and its direct and cumulative effects, taking into consideration the existing, proposed, and future development in the area.

(6) Per NEPA guidelines, when the significance of impacts related to a project proposal involving any agency of the Federal government is uncertain, an EA is prepared to assist in making this determination. If it is found that significant impacts will result, an EIS will be prepared. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, and Figure 1-3 of the EA.)

**Comment 11:** *It is a shame to see the Scripps project causing all these impacts on Corbett. While other land is being offered to lessen the impact of the 30-acre loss and the land would indeed be a net gain to Corbett, I hope that this is not the beginning of nibbling away at public lands.*

**Response 11:** The 60-acre Minkin Parcel is a natural wetland area consisting of hydric pine flatwoods, freshwater marsh, sawgrass marsh, and cypress stands and provides for more contiguous high-quality habitat (a 2:1 ratio) as replacement land for the proposed action on JWCWMA. (See Section 4.5.7.4, Loss of JWCWMA Lands, of the EA.) The only action being proposed is a change in land use on the JWCWMA. The decision of the Service will be the conclusion of that process. No future actions or land use changes are involved.



**Comment 12:** *(1) I object to any comprehensive land use change in the Corbett Wildlife area. When land is purchased with public funds to be preserved for wildlife and the public good it should remain in the state promised. (2) Putting additional power lines and/or substations are contradictory to the purpose of wildlife management. Precedent setting is a concern. If you lop off a corner of the Corbett now in the future other incursions are more likely. (3) Before such a momentous decision is made, an Environmental Impact Study should be completed. Acquiring the Minkin property appears to be a positive step, but it should not be done at the expense of Corbett or to accommodate massive development that will negatively impact the whole eastern edge of Corbett. Alternative sites are available for the Scripps development. By accommodating the development of the Mecca property, F. & W. encourages massive impacts to their borders.*

**Response 12:** (1) The comment regarding opposition to the land use change on JWCWMA is noted.

(2) The only action being proposed is a change in land use on the JWCWMA. The decision of the Service will be the conclusion of that process. No future actions or land use changes are involved. The Service has determined that the substation is not a compatible use and has requested replacement lands as compensation.

(3) Per NEPA guidelines, when the significance of impacts related to a project proposal involving any agency of the Federal government is uncertain, an EA is prepared to assist in making this determination. If it is found that significant impacts will result, an EIS will be prepared. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, and Figure 1-3 of the EA.)

**Comment 13:** *(1) There is no way that this proposal will unlikely have a significant impact on the Environment & therefore there must be an EIS prepared. (2) A comprehensive presentation of both the negative & positive impacts would have better explained all the alternatives. (3) We must not have a Comp Land Use Change which will forever destroy the intent of preserving open space & wetlands in the western tier. (4) The CW Management should increase its ownership of ESL by acquiring the Minkin Property. However this should not be done in exchange for the Scripps development of Mecca which will be intrusive in every aspect. (5) My concern is if the substation is required (?) if the Mecca site is not developed as a Bio Res Park but reverts to its original land use designation which allows 1 in 10 acres - Corbett Wildlife Management should in fact do everything possible to prevent the development of a Major city adjacent to your property.*

**Response 13:** (1) Per NEPA guidelines, when the significance of impacts related to a project proposal involving any agency of the Federal government is uncertain, an EA is prepared to assist in making this determination. If it is found that significant impacts will result, an EIS will be prepared. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, and Figure 1-3 of the EA.)

(2) The EA addresses both negative and positive impacts of each alternative. Please refer to Section 4.0, Environmental Consequences, and Table 4-1, Summary of Impacts by Alternative, of the EA.

(3) The comment regarding opposition to a land use change is noted.

(4) By proposing the 60-acre Minkin Parcel as replacement lands, a natural wetland area is being offered to provide for more contiguous high-quality habitat (a 2:1 ratio) to compensate for the proposed action on JWCWMA. (See Section 4.5.7.4, Loss of JWCWMA Lands, of the EA.)

(5) It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. (See Section 4.1, Summary of Effects, of the EA.)

**Comment 14:** *(1) My ultimate concern is for preserved, state land being used as mitigation, rezoning or anything else that would allow this county to change a land use for the JW Corbett Wildlife Preserve.*

*(2) No local government, private entity or individual should have any right to rezone preserved land for any reason, and especially development!*

*This opens the door on future land use changes on State land. As we have seen in the past, if a land use change commences on any property in PBC, it opens a flood gate for development of all kinds.*

*This particular change is the ultimate shame of PB County.*

**Response 14:** (1) The only action being proposed is a change in land use of 30 acres on the JWCWMA. The decision of the Service will be the conclusion of that process. No future actions or land use changes are involved. The Service has determined that the substation is not a compatible use and has requested replacement lands as compensation.

(2) The comment regarding opposition to the proposed action is noted. The Service will take all comments under consideration prior to making a decision regarding the proposed action.

**Comment 15:** *(1) After studying the EA statement, it appears clear to me that, despite thorough studies of impact on the Corbett and surrounding area, no land transfer is justifiable.*

*(2) The Minkin property, while certainly seeming worthy of protection/preservation, is simply not in Palm Beach County. (3) It sets an awful precedent for the continued westward expansion of development in NW Palm Beach County, leaving footprints into the Corbett Area, whittling away at it with roads and utilities.*

*(4) Here in south Florida wildlands are in short supply, we are in what ecologist Norman Myer calls a "Hotspot" in ecological sensitivity. In fact, one of the top 3 globally! (encompassing South FL and the Caribbean) This status is based on assessing the uniqueness of a region (meaning its high levels of vascular biodiversity) along with its high threat of destruction. Areas like this are part of the recently mapped global network of places needed to hold on to our planet's biodiversity and continued evolution. I found this information nowhere in the EA statement. I was impressed to see the section 4.2.6, regarding environmental justice: considering the impact on local populations is clearly of extreme importance, and is a long*

*overdue part of this process. Now it is also time to incorporate the global impact of projects such as this.*

**Response 15:** (1) The proposed action is not a transfer of land, but a change in land use. There is no fee simple transfer of land involved with the proposed action on the JWCWMA.

(2) The Minkin property is contiguous to the Palm Beach/Martin County line and the JWCWMA, a state and Federally funded wildlife management area, and is one of many properties that is listed as being under consideration for acquisition by FWC. County boundaries are irrelevant when discussing environmental lands. It is not necessary that the mitigation be located in Palm Beach County.

(3) and (1) The only action being proposed is a change in land use of 30 acres on the JWCWMA. The decision of the Service will be the conclusion of that process. No future actions or land use changes are involved. The Service has determined that the substation is not a compatible use and has requested replacement lands as compensation.

(4) Comment noted.

**Comment 16:** *any land bought with money from pittmen-robertsons fund money shuold not be sold or traded to any big business for any reason as far as I see they say nothihg about how much more land will be lost to hunting due to a buffer zone which they will need too keep bullets from the homes.*

**Response 16:** The comment regarding land purchased with Pittman-Robertson funds is noted. The proposed action for this project is a change in land use on the JWCWMA not a transfer of land. According to the JWCWMA Regulations Summary and Area Map (2004-2005), item 39 states, “[u]se of rifles is prohibited within a one-fourth mile buffer zone around the Pratt-Whitney fence, the Seaboard Coastline Railroad and Mecca Farms.” Based on telephone communications with FWC Law Enforcement clarifying this statement, the Pratt-Whitney fence relates to the Pratt-Whitney complex and there is no buffer to the south (residential area) or west. Hunters are asked to use good and reasonable judgment. It was further clarified that if the proposed action were to take place, the one-fourth mile buffer to the east and northeast would shift a distance directly related to the proposed new uses on JWCWMA. It is not anticipated that the proposed action will adversely affect the quality or quantity of hunting area in the southeast corner of the JWCWMA.

**Comment 17** *JWCorbett was purchased with Pitt-Robertson hard earned funds for wildlife restoration and should not be traded for any reason especially BIG BUSINESS. Thirty acres now, how many later. IF Scripps does go through, how large of a buffer zone will be mandated to stop the bullets from hitting the planned community ? Stop Scripps NOW. NO TRADE!!!! Let them go to ORLANDO. thank you Joe Pasint*

**Response 17:** The comment regarding land purchased with Pittman-Robertson funds is noted. The proposed action for this project is a change in land use on the JWCWMA not a transfer of land. This is a specific NEPA action, and the decision of the Service will be the conclusion of that process. No future actions or land use changes are involved. According to the JWCWMA Regulations Summary and Area Map (2004-2005), item 39 states, “[u]se of rifles is prohibited

within a one-fourth mile buffer zone around the Pratt-Whitney fence, the Seaboard Coastline Railroad and Mecca Farms.” Based on telephone communications with FWC Law Enforcement clarifying this statement, the Pratt-Whitney fence relates to the Pratt-Whitney complex and there is no buffer to the south (residential area) or west. Hunters are asked to use good and reasonable judgment. It was further clarified that if the proposed action were to take place, the one-fourth mile buffer to the east and northeast would shift a distance directly related to the proposed new uses on JWCWMA. It is not anticipated that the proposed action will adversely affect the quality or quantity of hunting area in the southeast corner of the JWCWMA.

**Comment 18:** *Take your scripps and other ideas someplace where you dont have to disturb others. thers plenty of unused land towards belle glade that isnt suroundad by natural wetlands. once this happens, there wont be an end. 10 years from now you'll say its to small and you have to make it bigger, so why not take it someplace far away, where it doset bother anyones homes, outdoor enjoyment, and the endajored animals that live nearby.*

**Response 18:** Comment noted. The proposed action for this project is a change in land use on the JWCWMA not a transfer of land. The decision of the Service will be the conclusion of that process. No future actions or land use changes are involved. It is Palm Beach County’s assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA.

**Comment 19:** *I hunt, camp, fish, and hike Corbett area all year. I am involved in youth camp activities, and i take my family there when they come to visit. I think the whole Scripts thing is going to be horrible for the fun and enjoyment of myself and other sportsmen in the area. weather or not you take land from corbet and give land in another area dosent make a difference. the land you want to give is mostly what we call buggy land, its mostly swamp land. the road that you want to build is rediculous, there needs to be at least one place in palm beach county that isnt under construction. corbett area is one of the last natural habbatats for wild animals in palm beach county. if scripts builds as planed, the disturbance that is caused from all the new traffic will not be healthy for animals and it will drive them away from the area surrounding that area. personaly i think scripts should stay out of palm beach ! county, along with all the other construction and distruction on that land. PLEASE LEAVE CORBETT AREA ALONE!!!!*

**Response 19:** Comment noted. The 60-acre Minkin Parcel is a natural wetland area consisting of hydric pine flatwoods, freshwater marsh, sawgrass marsh, and cypress stands, and provides for more contiguous high-quality habitat (a 2:1 ratio) to mitigate for the proposed action on JWCWMA and to sustain the existing species on JWCWMA. (See Section 4.5.7.4, Loss of JWCWMA Lands, of the EA.) It is Palm Beach County’s contention that development of the PBCBRP and the extension of Seminole Pratt Whitney Road will take place no matter what action is taken regarding the preferred alternative set forth in the EA.

**Comment 20:** *I live within 500 yards (appox.) of the proposed substation. I am not against growth and progress but this is just a bad idea and a bad location. With 2000+ acres at the mecca site I'm sure they can find 30 acres for "their" power plant in their backyard instead of mine and my neighbors. Furthermore, I wish to know why the county, scripps, and gov. bush are so intent on putting scripps at mecca? When other more viable sites are practically begging for scripps' business? I.E. research park, what is going on behind the scenes you all are not telling*



*us? What sense does it make to waste millions of tax dollars on infrastructure, sewers, roads that don't exist at mecca when they are already available at other sites. You question the amount of space needed at other sites, well make the space! Just like you say you will make space by removing 20 homeowners for roads. What is the problem with building up in this state? That is just ignorant and wrong. Pick the most feasible location to benefit the taxpayers and homeowners, not the county, scripps and gov. bush. To the county and gov. bush, Just remember that the taxpaying voter will have the last say. Obviously this is not your backyard. Also what is the purpose of having a wildlife preserve if your not going to preserve it?*

**Response 20:** The comment in opposition to the proposed actions is noted. It is Palm Beach County's assertion that development of the PBCBRP and the extension of Seminole Pratt Whitney Road will take place no matter what action is taken on the preferred alternative set forth in the EA. Neither the preferred alternative nor any of the other viable alternatives would require the removal of 20 homes. (See Section 4.2.3, Relocation Potential, of the EA.)

**Comment 21:** *I would like to see FWC turn down The County's request for the easements. Mitigating to another County does not help ecological balance in Palm Beach County. Scripps should not be built on the Mecca Site. I support and agree with Senator Aronberg in pursuing the other 2 sites. Thank you for the opportunity to provide comment.*

**Response 21:** Comment noted. The Minkin property is contiguous to the Palm Beach/Martin County line and the JWCWMA, a state and Federally funded wildlife management area, and is one of many properties that is listed as being under consideration for acquisition by the FWC. (See Section 4.5.7.4 of the EA.) County boundaries are irrelevant when discussing environmental lands. It is not necessary that the mitigation be located in Palm Beach County. The Service will take all comments under consideration prior to making a decision regarding the proposed action.

**Comment 22:** *I believe that this easement access should be denied. It set a bad precedent allowing public roads and power substations to be built on lands dedicated for conservation. Further, the overall Bio-Tech Park on land adjoining the conservation area should be considered as to impact on wildlife and natural areas, rather than just the 30 or so acres under review for permitting. Your agency should object to the entire project!*

**Response 22:** Comment noted. The EA, in Section 4.0, Environmental Consequences, and Appendix E, Cumulative Effects, discusses in detail the impacts of the proposed action (the change in land use on 30 acres of JWCWMA lands) and its direct and cumulative effects, taking into consideration the existing, proposed, and future development in the area.

**Comment 23:** *My ultimate concern is for preserved state land being used as mitigation or being rezoned. The land use change being considered is totally unacceptable. No local government, developer, or private entity should have any right to rezone preserved land for any reason, especially development! If a land use change is allowed on state lands, this opens the flood gate for development of all kinds. These are preserved lands for wildlife habitat and in no way should be considered for power plants, housing development, or any other county change! PALM BEACH COUNTY SHOULD NOT BE IN THE DEVELOPMENT ARENA! At this time, it looks like Scripps will go to an alternate site, not Mecca. In this case, NO land use change needs to be*

*considered for JW Corbett Wildlife Management Area. If it does go on Mecca, I will continue my charge of NO LAND USE CHANGE FOR ANY PART OF STATE LANDS AND NO MITIGATION! Put the substation ON MECCA!*

**Response 23:** Comment noted. The Service will take all comments under consideration prior to making a decision regarding the proposed action. Additionally, Alternatives 3B and 4B have the substation located on the Mecca Farms property. However, in the cases of 3B and 4B, JWCWMA lands are still required to connect the substation to the existing power transmission lines on the JWCWMA. (See Section 2.2, Alternatives, of the EA.)

**Comment 24:** *I am writing to address my concerns with the issue of the proposed land swap located at J.W.Corbett Wildlife Management Area in Palm Beach County. First let me be perfectly clear this is opening a Pandora's Box which is setting a precedent and a footprint for future mitigation issues that I feel some county officials will take advantage of in the future. There are secondary and cumulative impacts which are not even being addressed. There are some very savvy developers waiting in the wings in close proximity who want to create cities in an area that was not meant to be developed in such a manner Mecca was to be 1 home per 10 acres and no more now PB County is saying lets build a city the size of West Palm Beach(57sq.miles) in Mecca (3 sq. miles) I'm talking square footage. And the funny thing is Richard Lerner (Scripps President) says that the scientists don't want to live in a science ghetto (see palm beach post) so if the housing is not needed I say don't let them build. Also there is a large hunting community that will have to be severely hindered because no one in this new city will want to be endangered by the flying bullets. Some others problems are that Unit 11 was taken for environmental purposes and the adjacent Vavrus Property to the East is 70% wetlands if anything the Mecca site should be used as a reservoir as originally intended. As far as a FPL substation I am sure with all the geniuses working on this project there has got to be a way to place this on the Mecca site and not touch the Corbett or any houses located on Seminole Pratt by placing all cables underground. Even in your EA they say as much. So I suggest you seriously consider this in your review because the Minkin property is in Martin County. And the CORBETT WAS NOT TO EVER HAVE ANYTHING OF THIS NATURE BUILT ON IT WHEN IT WAS PURCHASED WAY BACK WHEN this totally goes against the lease agreement and I think you are well aware of this and you should be ashamed to even try to facilitate this swap. There are some other issues you should look at I will bullet them to make it easy.*

*1. The Scripps elevation is 23 feet and discharge unlimited. This was in South Florida Water Management District memo Jan. 12, 2005 and was voted on by the board (Where will the water runoff go?) CORBETT!!! YOU NEED TO DO A FULL EIS ON THIS!!!*

*2. Scripps will need 88,000 gallons of water per day this is just Scripps 545 employees. What about the so called spinoffs that are planned the mighty Jeb our gov. is saying there will be 8 million sq.ft.of research & development Scripps is only 345,000 sq.ft imagine how much water these suckers will need you do the math. YOU NEED TO DO A FULL EIS ON THIS!!!*

*3. Scripps will be working on some pretty nasty stuff one thing is prions I personally have questioned this one even Department of Health isn't quite clear on the safety precautions on this. START ASKING QUESTIONS ABOUT YOUR PROPOSED NEIGHBOR???*

**Response 24:** The comment regarding the opposition to the proposed land swap is noted. The proposed action for this project is a change in land use on the JWCWMA not a transfer of land. The decision of the Service will be the conclusion of that process. No future actions or land use changes are involved. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA.

The EA, in Section 4.0, Environmental Consequences, and Appendix E, Cumulative Effects, discusses in detail the impacts of the proposed action (the change in land use on 30 acres of JWCWMA lands) and its direct and cumulative effects, taking into consideration the existing, proposed, and future development in the area.

According to the JWCWMA Regulations Summary and Area Map (2004-2005), item 39 states, "[u]se of rifles is prohibited within a one-fourth mile buffer zone around the Pratt-Whitney fence, the Seaboard Coastline Railroad and Mecca Farms." Based on telephone communications with FWC Law Enforcement clarifying this statement, the Pratt-Whitney fence relates to the Pratt-Whitney complex and there is no buffer to the south (residential area) or west. Hunters are asked to use good and reasonable judgment. It was further clarified that if the proposed action were to take place, the one-fourth mile buffer to the east and northeast would shift a distance directly related to the proposed new uses on JWCWMA. As stated in the EA, it is not anticipated that the proposed action will adversely affect the quality or quantity of hunting area in the southeast corner of the JWCWMA.

The No-Action alternative is Alternative 2B. This alternative does not require any property from JWCWMA (EA Section 2.2, Alternatives). However, FP&L would require an easement across 20 properties whether the transmission lines are above ground or underground.

The Minkin property is contiguous to the Palm Beach/Martin County line and the JWCWMA, a state and Federally funded wildlife management area, and is one of many properties that is listed as being under consideration for acquisition by the FWC. County boundaries are irrelevant when discussing environmental lands. It is not necessary that the mitigation be located in Palm Beach County. By proposing the 60-acre Minkin Parcel as mitigation, a natural wetland area is being offered to provide for more contiguous high-quality habitat (a 2:1 ratio) to mitigate for the proposed action on JWCWMA. (See Section 4.5.7.4, Loss of JWCWMA Lands, of the EA.)

The proposed action for this project is a change in land use on the JWCWMA and not a transfer of land. The decision of the Service will be the conclusion of that process. No future actions or land use changes are involved. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA.

(1) The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. Any development must include water quality treatment of runoff from the roadway per SFWMD 40E-4, FAC requirements. Treatment would occur in swales, detention ponds, etc. prior to discharge to offsite areas. (See Section 4.5.2, Water Quality, of the EA.)

(2) As discussed in the Appendix E, Cumulative Effects, each project's impacts on resources, which would include water, wastewater, transportation, open space, etc. are analyzed prior to approval. The level of service (LOS) of each resource is determined based on the resource versus capacity, compared to present and future capacity. If the impacts exceed the LOS, then improvements are required to create the additional capacity before the development is constructed. Typically, the applicant is required to pay for their fair share of the improvements or expansion.

Per NEPA guidelines, when the significance of impacts related to a project proposal involving any agency of the Federal government is uncertain, an EA is prepared to assist in making this determination. If it is found that significant impacts will result, an EIS will be prepared. (See Section 1.3, Summary of Public Participation, Issues, and Concerns, of the EA.)

(3) Comment regarding health and safety is noted. However, as stated previously, it is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA.

**Comment 25:** *While our organization prefers not to have wild land encroached upon, especially for development purposes, we also respect the rights of those people who own the homes that would need to be removed for an alternate plan. We therefore support the 2 to 1 mitigation swap for the 60 acres\* (preferable 80 acres) in the NW corner of the Corbet area.*

*We have a continuing concern about this setting a president and future requests for "safety zones" etc. We will not look as favorable upon such mitigation if in the future the county, or any other group, comes back to the well.*

*\*Originally when presented by Palm Beach County to the Fish & Wildlife Commission at their bi-monthly meeting at Marco Island in December 2004, the acreage that was proposed to be swapped was 80 acres and not 60 acres.*

**Response 25:** The comment in favor of the proposed action is noted. The decision of the Service will be the conclusion of the EA process. No future actions or land use changes are involved.

**Comment 26:** *Thank-you for the opportunity to comment on the January, 2005 draft of the EA for the JW Corbett WMA proposed land transfer, Palm Beach and Martin Counties, Florida. As the Biological Administrator I overseeing the JW Corbett WMA for the FWC, the following table outlines some of my comments designed to assist you in developing a more complete and accurate document. Given the short turn-around time for these comments, what is presented here has not been approved by, nor does it necessarily represent the opinion of, the FWC. These comments do not address advance notification, cultural resources, ecological assessment, contamination screening, or cumulative effects. Because many of the comments provided here are also appropriate for the ecological assessment, I did not repeat them, but would be available to discuss that section if it would be of benefit. On Monday, February 14, my supervisor, Steve Coughlin, and I will be developing comments on the cumulative effects appendix and we hope to have those comments to you soon thereafter. However, I wanted to make sure you had as many comments as possible before your February 14 deadline. I attempted to get these comments to you from my work e-mail address (James.Schuette@myfwc.com), but that system was down, so*



*this correspondence is from my personal e-mail account. I hope you find these comments useful, and would look forward to working with your agency to develop a document that accurately addresses the management issues on the JW Corbett WMA, and explores other potential alternatives that may better address these concerns, particularly in regards to the sizing of any canals or placement of the FPL structures. Again, thank-you for providing the opportunity to have input into this process.*

**Comment 26A:** *1.1@2,3 1-1 If this analysis is to "consider the potential direct, indirect, and cumulative impacts associated with the proposed change in use of the JWCWMA lands," no decision should be made without considering the impacts of the entire biotechnical research park and supporting land development issues, especially if the "purpose is to maintain and enhance the ecological integrity and wildlife-related values of the JWCWMA".*

**Response 26A:** The EA, in Section 4.0, Environmental Consequences, and Appendix E, Cumulative Effects, discusses in detail the impacts of the proposed action (the change in land use on 30 acres of JWCWMA lands) and its direct and cumulative effects, taking into consideration the existing, proposed, and future development in the area.

**Comment 26B:** *1.2@2 1-2 The County has yet to determine if this is the only potential site, and other entities would argue that is not a valid site, while there are other sites, some within Palm Beach County, that could house this development. Regardless, is lack of other sites justification for development of conservation lands?*

**Response 26B:** It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. (See Section 4.1, Summary of Effects, of the EA.)

**Comment 26C:** *1.2@4 1-2 It has not been shown how development enhances surrounding environmentally-sensitive lands, especially the JWCWMA.*

**Response 26C:** Alternative 1B takes into account flow way alternatives being considered by CERP to improve flows to the Loxahatchee River. (See Section 2.2.2.1, Alternative 1B, of the EA.)

**Comment 26D:** *1.2@5 1-2 Please include documentation of "concurrence from FWC".*

**Response 26D:** FWC concurrence (compliance with the state's Incompatible Use Policy) is stated on page 2 of the letter dated August 2, 2004, to Sam Hamilton, Regional Director, Division of Financial Aid, U.S. Fish and Wildlife Service from Kenneth D. Haddad, Executive Director, Florida Fish and Wildlife Conservation Commission.

**Comment 26E:** *1-2@6 1-3 As a member of NPBC-CERP-PDT, I am unaware of any conclusions on the need for or design/sizing/purpose of a "flow way". It is an option under consideration. Another is making a reservoir on Mecca and restoring the Vavrus property to recreate the historic Hungryland Slough. I suggest you ask FWS representatives on CERP if they are aware of any decision made in this regard.*

**Response 26E:** Comment noted. References to CERP have been revised throughout the document to reflect that no conclusions on the flow way have been recommended to date.

**Comment 26F:** *2.2.1.1@1 2-2 "A holistic analysis instead of piece-mealing easement requests" would support looking at this decision at the same time as the entire development.*

**Response 26F:** The proposed action for this project is a change in land use on the JWCWMA not a transfer of land. There are no additional future actions or land use changes that the Service is aware of at this time.

**Comment 26G:** *2.2.1.2 2-3 I am unaware of any decision made as to the appropriateness of extending Pratt-Whitney due north, where it would bisect two natural areas. In past meetings on this issue, FWS supported placing this road extension on the C-18 right-of-way (where limited destruction of wetlands and potential RCW habitat would occur, and there exists a railroad crossing), and alternative analysis tends to support that location.*

**Response 26G:** As stated in the EA, Section 1.2, Background, the widening and extension of Seminole Pratt Whitney Road due north is included in the Palm Beach County MPO's adopted 2030 Long Range Transportation Plan, the 2030 adopted Cost Feasible Plan Map, and the 2030 Thoroughfare Roadway Plan in the adopted Palm Beach County Comprehensive Plan.

**Comment 26H:** *2.2.2.1@1 2-3 Again, I am unaware of any CERP decision on the sizing of the 150-foot canal. The trail that would be built already exists, as does the trail-head.*

**Response 26H:** There is no modeling for CERP completed to date. The proposed action (Alternative 1B) provides for a proposed canal/flow way and a canal maintenance area, which includes an activities trail to a new County trailhead located immediately east of the JWCWMA South Entrance.

**Comment 26I:** *2.2.2.2@1 4.2.2@3 2-3 4-5 Owners of the 5 homes along the JWCWMA boundary have indicated they might be willing sellers given they would otherwise have a 6-lane highway built in their front yard separating them from the reason they bought their property. This presents an alternative to eminent domain or wetland destruction, and may be more cost-effective.*

**Response 26I:** Comment noted.

**Comment 26J:** *3.2.3@3 4.3.3@1 3-4 4-10 The 0.25-mile buffer only prohibits rifles, not hunting (archery, muzzleloaders, shotguns, pistols, dogs, etc. are legal in the buffer area).*

**Response 26J:** Comment noted. As referred to in the EA, Section 4.3.3, Recreation, and as stated in the FWC hunting brochure for JWCWMA, "use of rifles is prohibited within a 1/4 mile buffer zone around the Pratt-Whitney fence, the Seaboard Coastline Railroad and Mecca Farms." There is currently a buffer in effect for the Mecca Farms property; however, there are no buffers adjacent to existing residential areas.

**Comment 26K:** *Table 3-2 3-7, 8 Where do these numbers come from? Shouldn't they take into account if the wetlands are currently protected or not from development? Wetlands for 2B, 3B & 4B have exotics on unprotected lands.*

**Response 26K:** The acreage calculations for each alternative were generated by overlaying the engineering design and digitized habitat classifications over an aerial of the study area. The wetlands were assigned a Florida Land Use Cover and Forms Classification System (FLUCFCS) code, which breaks down each habitat according to vegetative dominance, including exotic species. Tables 3-2 and 3-3 in Section 3.4.1, Wetlands, of the EA provide the acreages of impacts proposed for each alternative. This table also differentiates between lands located within and outside of the JWCWMA.

**Comment 26L:** *Table 3-7 3-21 Lack of documentation is not a good indicator of low potential for occurrence. FWC has only one species list for JWCWMA, not one for every square mile. From the list used in this table, I propose that there is a high probability for 21 species, medium for 1 and low for 9 species. There are many other State and Federally listed species with potential for being on these sites. Why was this subset chosen as the species of interest?*

**Response 26L:** Criterion used to determine species inclusion within the protected species table included species specific data (e.g., habitat preferences, life cycle data, etc.) as well as field reviews for determination of potential occurrence. Initially, Federally and state listed species that occur within Palm Beach County were determined using information contained within 50 CFR Parts 17.11 and 17.12, Rules 68A-27.003 through .005 (FAC), and Chapter 5B-40 FAC. Once a potential list of protected species was generated, each species was researched for habitat preferences and documented occurrences within the area. Species were then subsequently removed from the list based upon a lack of habitat (i.e., no sea turtles within inland/upland habitat). The final list that provides the basis for Table 3-7 in Section 3.4.5.3, Wildlife, of the EA includes all species that have the potential of occurrence within the study area based upon reasonable scientific judgment. The table does not include any Federal candidate species or species proposed for listing as there are no species proposed for listing within Palm Beach County and the only candidate species within the county is the opossum pipefish (*Microphis brachyurus*) which is a marine fish species.

The probability of occurrence ranking of either low, medium, or high is based upon definition found within Section 3.4.5.3, Wildlife, of the EA. These definitions are based upon the presence of preferred species habitat within project alternatives, documented occurrences of the species within one mile of project alternatives, and/or field review sightings of the species within project alternatives. After additional coordination with the FWC staff located at the JWCWMA, a total of nine additional state listed plant species and one (1) state listed animal species were added to Table 3-7 and the probability of occurrence classifications of nine (9) of the species previously listed within Table 3-7 were changed. The nine species whose probability of occurrence was changed include:

American alligator	from low to high
Indigo snake	from low to moderate
Roseate spoonbill ( <i>Ajaia ajaja</i> )	from low to moderate
Limpkin ( <i>Aramus guarauna</i> )	from low to high

Snowy egret ( <i>Egretta thula</i> )	from low to high
White ibis ( <i>Eudocimus albus</i> )	from low to high
Bald eagle ( <i>Haliaeetus leucocephalus</i> )	from low to moderate
Wood stork ( <i>Mycteria americana</i> )	from low to high
Snail kite ( <i>Rostrhamus sociabilis plumbeus</i> )	from low to moderate

Information provided by the JWCWMA manager reflects his observations of the habitats and likelihood of species occurrence based on that habitat. Therefore, the final table removed the requirement for documentation within one mile and is based on habitat and information provided by the JWCWMA manager.

**Comment 26M:** 3.4.5.2@FLUCFCS: 189 3-19 Lands severely impacted by ORV's in this location are found directly under the existing FPL lines.

**Response 26M:** FLUCFCS code 189 was assigned to a parcel of land located at the southwest corner of Seminole Pratt Whitney Road and 94th Street North. At this location a track specifically constructed for go-carts, ATVs, or similar recreational-type vehicles was observed. The 189 FLUCFCS code was not used within areas of the JWCWMA located under existing FP&L lines. These areas were classified within Section 3.4.1, Wetlands, of the document as 641/832 (freshwater marsh/electric power transmission lines). The use of this classification was due to these areas being considered wetlands and not upland habitats (i.e., 189 is an uplands classification).

**Comment 26N:** 3.4.5.3@4 3-20 The cluster of rcw's on JWCWMA closest to Parcel A have been documented to travel more than one mile during their initial morning foraging flights; 0.75 miles is not "well outside the typical home territory of this cluster".

**Response 26N:** The 0.5-mile foraging area is based on information contained within "The Guidelines for Preparation of Biological Assessments and Evaluations for the Red-Cockaded Woodpecker" (Henry 1989). According to this document, "Available foraging habitat is defined as pine and pine-hardwood stands over 30 years of age contiguous to and within 0.5 miles of the center of the colony (now references as cluster)". This document further states that, "if no active colonies are found (within 0.5 miles of the project area) then a "no effect" determination is appropriate." The "no effect" determination is a term used by the US Fish and Wildlife Service to signify that the project will not jeopardize the continued existence of a Federally protected species. As stated in Section 3.4.5.3 of the EA, no active red-cockaded woodpecker clusters are located within 0.75 miles of any of the project alternatives. As part of their Section 7 review of the project, the USFWS determined that the project will not affect the red-cockaded woodpecker.

**Comment 26O:** 3.4.5.3@6 3-23 These surveys were influenced by the prior removal of the citrus trees on Mecca.

**Response 26O:** We are unclear as to the meaning of the comment. However, the Mecca parcel was not reviewed as part of this survey and the removal of citrus trees from that site would be considered an existing condition.



**Comment 26P:** 3.4.5.3@7 3-23 Numerous migratory warblers should have been observed along this corridor during these observation times.

**Response 26P:** Results of the surveys conducted on the various project alternatives are accurately represented within Section 3.4.5.3 of the EA.

**Comment 26Q:** 3.4.5.3@7 3-23 If this were a Christmas bird count sampling area, would that make it more biologically significant?

**Response 26Q:** The Audubon Society's web site was reviewed to determine if project alternatives were located within a Christmas bird count (CBC) sampling area in an attempt to locate additional dataset which could be used in the assessment of wildlife. However, project alternatives were determined to not be within a CBC sampling area.

**Comment 26R:** 3.4.5.3@8 3-23 This has been a site extensively treated for exotic plants. They are relatively rare on the JWCWMA site. I did not see where the Minkin property was guaranteed to be as clean.

**Response 26R:** As stated within Section 4.5.7.4, Loss of JWCWMA Lands, the Minkin Parcel is a natural area consisting of hydric pine flatwoods, freshwater marsh, sawgrass marsh, and cypress stands. This site has much less nuisance and exotic species present than the areas of the JWCWMA located within project alternatives.

**Comment 26S:** 3.4.5.3@10 3-24 These effects are a condition of the border of a natural area. If the JWCWMA site is developed, the edge effect will not disappear, they will only be moved further inside the area, in effect impacting higher-quality wetlands.

**Response 26S:** Proposed alternatives within the area of Parcel B alternatives would provide better access control to the JWCWMA than presently exists within this area. From reviews of Parcel B alternatives, it appeared that extensive unauthorized off road vehicle use within this area of the JWCWMA has occurred. (See Section 3.4.5.3, Wildlife, of the EA.) Impacts to the JWCWMA as a result of these actions were pointed out in a previous comment. As part of any of the proposed alternatives, access off the improved Seminole Pratt-Whitney Road would be controlled and the construction of the proposed canal associated with Alternative 1B would further improve access control over illegal motorized vehicles.

**Comment 26T:** Table 4-1 4-3 How is potential for controversy determined, and is it in relation to how this project maintains and enhances the ecological integrity and wildlife-related values of the JWCWMA?

**Response 26T:** The Service has issued the EA to solicit public comment and to determine the significance of the action as well as the controversy. Table 4-1 in Section 4.2.1, Land Use Changes, of the EA shows controversy potential for direct impacts to the built environment.

**Comment 26U:** 4.2.1@4 4.2.8@3 4-4 4-9 The "recreational trail" is a canal maintenance levee, there already is a "trail head", and the impacts to the Loxahatchee have not been determined.

**Response 26U:** Comment noted. The proposed action (Alternative 1B) provides for a canal/flow way and a canal maintenance area, which includes an activities trail to a new County trailhead located immediately east of the JWCWMA South Entrance. (See Section 2.2.2.1, Alternative 1B, of the EA.)

**Comment 26V:** *4.3.3@5 4-10 When is the County planning to eliminate historical access to JWCWMA's south entrance?*

**Response 26V:** The County has no plan to eliminate any access to the JWCWMA under Alternative 1B. The proposed new County trailhead is an enhancement to the current trailhead but separated from it.

**Comment 26W:** *4.3.4@1 4-11 Building a 6-lane road and a 150-foot canal might be considered a negative visual impact.*

**Response 26W:** Section 4.3.4 of the EA acknowledges the specific viewshed impacts of each Parcel B alternative including concepts to minimize visual impacts.

**Comment 26X:** *4.4.1@1 4-12 Noise is not an issue in a natural area?*

**Response 26X:** Regulations dealing with the impacts of traffic noise and noise abatement criteria established by the Federal Highway Administration (FHWA) and in the CFR pertain only to areas of frequent human use. This clarifying statement has been added to Section 4.4.1, Noise, of the EA.

**Comment 26Y:** *4.4.4.1@2 4-16 The previously-listed superfund site at P&W/UTC has been recently documented as contaminating the ground-water supply with 1,4 dioxane that extends off-site, along with documented hazardous waste barrels laying on their sides in inundated wetlands. Although this site is separated from Parcel A by the Pratt canal that feeds into the C-18, there is potential for ground-water contaminations.*

**Response 26Y:** We have investigated this and determined that the Pratt & Whitney site was once listed incorrectly as a Superfund Site. We have determined that the Pratt & Whitney site is beyond the scope of this project.

**Comment 26Z:** *4.5.3.2@1 4-27 Again, I am unaware that CERP has selected alternatives, or reached conclusions as to what the best plan is.*

**Response 26Z:** Comment noted. CERP has not made any recommendations at this time. This language has been added to Section 4.5.3.2, Corbett Parcel B Alternatives, of the EA.

**Comment 26AA:** *4.5.7.2@6 4-32 It is unclear what the last sentence means.*

**Response 26AA:** No land uses associated with the Parcel B area are required to be changed if Alternative 2B is selected. For clarification, the sentence has been rewritten in Section 4.5.7.2, Parcel B Alternatives, of the EA.

**Comment 26BB:** 4.5.7.2@7 4-32 *Some of the damage here is the result of illegal filling of JW Corbett property from the improvements done to Seminole-Pratt Whitney Road by Mecca-Ryan when they developed the rock mine 5 years ago, as the foot of the road encroaches on these State-owned wetlands.*

**Response 26BB:** Comment noted.

**Comment 26CC:** 4.5.7.2@7 4-32 *Fire management of the Parcel B is much easier than the Minkin property would be. Parcel B can be burned on a southeast wind aerially, or south and west wind for ground burns. For the Minkin Property, that segment of 710 is identified as smoke sensitive by DOF, preventing burning under any south- or west-component winds. The power lines make burning under north- or east- components difficult, and P&W/UTC makes northwest winds problematic. Logistic difficulties of accessing the site have prevented prescribed burns on the adjacent property for more than 2 decades.*

**Response 26CC:** Based on information provided by the JWCWMA manager, fire management under north or northeast winds would not be feasible in most instances. Logistic difficulties associated with the adjacent site are noted. In instances where prescribed burning is not feasible, mechanical means of vegetation control can be utilized in the flatwoods areas of the Minkin property. This information is reflected in Section 4.6.1.3 of the EA.

**Comment 26DD:** 4.5.7.3@7 4-35 *This implies that the Minkin property is being "created" and nothing is being developed. The "mitigation" that is being discussed is only changing the jurisdiction of a wetland from private to public. The impacts to the parcels being taken is development. This may or may not be "negligible" to the wildlife. Also, the Minkin property does not provide a 2-for-1 replacement for the pine flatwoods that will be taken from a critical population of RCW's.*

**Response 26DD:** As stated within Section 4.5.7.4, the Minkin Parcel is being used to "compensate" for conservation lands within the JWCWMA changing use as a result of the proposed project and is not referred to as being "created" as stated. Changing the Minkin Parcel from private to public ensures that the parcel will be removed from potential development pressures in the future. This 60-acre tract is comprised of higher quality habitats, with less man-induced impacts and fewer nuisance and exotic species than the lands contained within the various project alternatives.

**Comment 26EE:** 4.5.7.3@7 4-35 *In light of existing plans by various agencies to purchase the entire 3,000-acre "pal-mar connector", including the entire Minkin property, as well as the White property and the parcel to the west, the benefits of acquiring these 60 acres at this time are less clear.*

**Response 26EE:** As stated within Section 4.5.7.4, the Minkin Parcel is being used to "compensate" for conservation lands within the JWCWMA changing use as a result of the proposed project.

**Comment 26FF:** *Figure 4-4 4-35b How will the northern boundary be delineated? If it is to be a fence, what are the impacts of this fence to the habitat?*

**Response 26FF:** The use of fencing along the northern boundary of the Minkin Parcel will be a determination made by the FWC. Use of fencing along the northern boundary of the parcel is not proposed as part of this action.

**Comment 26GG:** *4.6@4 4-38 This line of reasoning might be used to justify developing all of JWCWMA.*

**Response 26GG:** Comment noted.

**Comment 27:** *(1) This EA should further describe and evaluate cumulative effects of the land transfers to determine if the action could support a Finding of No Significant Impact (FONSI) or if an Environmental Impacts Statement (EIS) is warranted. The direct impacts of the land transfer are well documented in the EA, all of which could be mitigated in a FONSI. However, the direct, indirect and the cumulative effects of the land transfer would be the determining factor if the action is determined to be insignificant or if indeed an EIS is warranted.*

*(2) If the land transfer occurred and Seminole-Pratt Whitney Road is connected to the Beeline Highway and a new power substation is constructed, future development would occur in the area at a much faster rate than a No Action Alternative. The Mecca Farms parcel and the Vavrus Ranch would become developable, and additional road would need to be constructed to access the future additional development. The Corps evaluated the proposal to construct a 535-acre biotechnology research park independently from the remaining future development on the 1,919-acre Mecca Farms site, as well as any future planned development in the nearby area because the biotechnology research park has independent utility from any future development. The Corps' definition of independent utility is "a test to determine what constitutes a single and complete project. The Corps believes that the land trade to facilitate a transportation corridor and a power source does not have independent utility from the remaining future development on the 1,919-acre Mecca Farms site, from the development on the Vavrus Ranch, and the construction of the future roads because the remaining development is dependent on access to the sites and a power source for its success. It is understood that any proposed future road construction or expansion, as well as any wetland impacts associated with the construction of a power substation will be evaluated once it is proposed. However, the construction of a power station and a road would lead to an increase in development and road construction in the area. These points should be included in the cumulative impacts analysis.*

*(3) Alternative 2A evaluates the route for construction of Seminole-Pratt Whitney Road if the land trade were to not occur (the no-action alternative). The EA should discuss the no-action alternative of not participating in the land trade and the road not being constructed. If Seminole-Pratt Whitney Road is not constructed, would the Department of Transportation require an alternative route to access the Beeline Highway? In addition, another alternative should be evaluated for the land trade associated with the construction of the power supply. If the land trade were not to occur, the development on the Mecca Farms parcel could use the power source that currently exists in the Acreage. The Corps has evaluated the SCRIPPS*

*facilities using the existing transmission lines located south of the Mecca Farms parcel (not along Seminole-Pratt Whitney Road). Residents in the Acreage currently use these existing power lines and corridor. This alternative would eliminate the need to acquire residential properties. The Corps intends to evaluate upgrading this existing power source as an alternative if indeed an application were submitted for our review. Thus, the Corps can comment on the alternative analysis you provided but believes there should be alternatives describing a no action alternative from not constructing Seminole-Pratt Whitney Road or by not constructing a power substation.*

*(4) This EA should evaluate the benefits of acquiring the Minkin Parcel in relation to the Comprehensive Everglades Restoration Program (CERP), the ecology, and the risk of development and compare with the JWCWMA parcels. If the Minkin property is currently at risk of development, would the land trade just adjust the future encroachment locations from the north to the east of JWCWMA?*

**Response 27:** (1) The proposed action for this project is a change in land use on the JWCWMA. Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

(2 & 3) The proposed action for this project is a change in land use on the JWCWMA. The No-Action alternative is not using land from the JWCWMA. However, it is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA.

Alternatives 2B, 3B, and 4B, as described in Section 2.2.2, Corbett Parcel B Alternatives, of the EA provide for alternative locations of the electrical substation in The Acreage or on the PBCBRP property. According to Palm Beach County and FP&L, the additional facilities are necessary to accommodate growth in the area. In addition, Seminole Pratt Whitney Road extension and expansion is in the Palm Beach County Metropolitan Planning Organization's (MPO) adopted 2030 Long Range Transportation Plan (LRTP), the 2030 adopted Cost Feasible Plan Map, and the 2030 Thoroughfare Roadway Plan in the adopted Palm Beach County Comprehensive Plan, so will occur independently of this action.

Construction of the roadway will require environmental permits from both Federal (USACE) and state (SFWMD) regulatory agencies. Seminole Pratt Whitney Road would be designed to include water quality treatment of runoff from the roadway per the SFWMD 40E-4, FAC requirements. (See Section 4.5.2 of the EA.) Treatment would occur in swales, detention ponds, etc. prior to discharge to offsite areas. As stated previously, the cumulative effects related to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA. The analysis found that no significant cumulative or indirect impacts are associated with the land use transfer.

(4) As stated within Section 4.5.7.4, Loss of JWCWMA Lands, the Minkin Parcel is a natural area consisting of hydric pine flatwoods, freshwater marsh, sawgrass marsh, and cypress stands. This site has much less nuisance and exotic species present than the areas of the JWCWMA located within project alternatives. The Minkin Parcel is designated as agricultural use on both the existing and future land use maps for Martin County. The zoning for the Minkin parcel is IZ,

which is intermittent zoning. This means that it has no zoning classification at this time, and the owner could request any zoning classification for the parcel that he desired. If the zoning is approved, then the land could be developed. Thus, acquiring the Minkin Parcel will remove it from the risk of development and relieve development pressure on the JWCWMA to the north. Please refer to Figure 4-5, Developments of Regional Impact, of the EA.

**Comment 27A:** *Page 1-1, Section 1.2 Background*

*"In a letter dated August 2, 2004, the FWC asked the Service to review for approval the application from the County to the FWC requesting five easement areas on the JWCWMA." For clarity, please describe each easement area. The EA only discusses that a change in two easement areas would need to occur, which are on the 1.63-acre parcel of land and on the 28.37-acre parcel of land. The 60-acre parcel currently does not have development; therefore, no change in easement is expected.*

**Response 27A:** In Palm Beach County's application for approval of the use of JWCWMA lands, the parcels in question were described as 5 easements, each for a particular purpose. Corbett Parcel A (1.63 acres), also described in the EA as Alternative 1A, is one easement and is proposed to be used for the extension of Seminole Pratt Whitney Road. Corbett Parcel B (28.37 acres), also described as Alternative 1B, is made up of four easements that are proposed to be used for a canal (13.91 acres), the extension and expansion of Seminole Pratt Whitney Road (4.73 acres), an electrical substation (6.37 acres), and a maintenance berm/activities trail (3.36 acres). If alternatives 3B or 4B are selected, they would require easements across the JWCWMA in the amounts of 4.09 acres and 5.44 acres, respectively (see Figures 2.4, 2.6, and 2.7 of the EA.).

**Comment 27B:** *Page 3-1, Section 3.1.1 Land Use*

*Please specify the land use of the Minkin Parcel since it is a component in each of the alternatives analysis.*

**Response 27B:** The Martin County current and future land use maps show the land use on the Minkin Parcel as agricultural. The zoning for the Minkin Parcel is IZ, which is Intermittent Zoning. This means that it has no zoning classification at this time, and the owner could request any zoning classification for the parcel that he desired. If the zoning is approved, then the land could be developed. The land use of the Minkin Parcel has been added to Section 4.5.7.4 of the EA.

**Comment 27C:** *Page-3-1, Section 3.1.1 Land Use*

*"The JWCWMA is the predominate land use in the area." Please consider revising the statement. The predominate land use in the area is conservation, with the JWCWMA containing the single, largest land acreage placed under conservation.*

**Response 27C:** Comment noted. The description will be revised in the EA as suggested.

**Comment 27D:** *Page 3-6, Paragraphs 4 and 5*

*The scope of the estimated wetland impacts is unclear in this discussion. For the 1.63-acre land trade associated with construction of Seminole Pratt Whitney Road to the Beeline Highway, do the wetland impact acreages reflect impacts along the entire length of the proposed road (i.e. along Mecca Farms, Unit 11, and surrounding Beeline Highway) or do they only reflect the wetland impacts associated with the immediate connection to Beeline? Figures 3-4 and 3-5 only show the wetland impacts associated with the immediate connection to Beeline Highway. If a Seminole-Pratt Whitney Road were to be widened and extended to the Beeline Highway, it may be relevant to determine the total wetland impacts along the entire road corridor.*

**Response 27D:** The acreages of impact shown within the EA reflect only those impacts associated with the areas shown in Figures 3-4 and 3-5 in Section 3.4.1, Wetlands, of the EA. Wetland impacts associated with additional areas of the Seminole Pratt Whitney Road extension would be common to both Alternatives 1-A and 2-A and would occur independent of which alternative is selected. As a result, the impacts associated with these areas were not included in the analysis.

The Seminole Pratt Whitney Road extension and expansion is in the approved Palm Beach County MPO's 2030 LRTP, and will occur independently of the proposed action. Construction of the roadway will require environmental permits from both Federal (USACE) and state (SFWMD) regulatory agencies. Seminole Pratt Whitney Road would be designed to include water quality treatment of runoff from the roadway per the SFWMD 40E-4, FAC requirements. Treatment would occur in swales, detention ponds, etc. prior to discharge to offsite areas. Any mitigation issues would be addressed at the permitting stage also. (See Section 4.5.2 of the EA.)

**Comment 27E:** *Page 3-11, Section 3.4.2 Water Quality, paragraph 2 "North of the C-18 Canal is the HSNA, also known as Unit 11, which has some wetlands."*

*Please consider revising the statement. Unit 11, which contains numerous wetlands, is a Regional offsite mitigation area, which is in the process of being restored. In fact, the overall area contains environmentally sensitive lands.*

**Response 27E:** Comment noted. The statement regarding Unit 11 will be revised.

**Comment 27F:** *Page 4-8, Section 4.2.8, Controversy Potential*

*The Corps believes that the change from preserved lands in this area to a transportation use or even for a power transmission use would have major controversy from governmental agencies, environmental groups as well as the public. Many adverse comments were received from members of the public, local agencies, as well as federal agencies in response to a proposal to convert agricultural lands into commercial and residential development on the Mecca Farms parcel. It is feasible to assume a similar response.*

**Response 27F:** The proposed action for this project is a change in land use on the JWCWMA. Section 4.2.8 of the EA addresses controversy potential and states that some controversy is expected as a result of the proposed action. A total of 30 comments, both in favor of and



opposed to the proposed action, have been received as a result of the publication of the environmental document and the public open house. (See Appendix F, Comments and Responses, of the EA.) No regulatory or permitting agency has raised an objection to the proposed action. All comments received are being addressed in the document.

**Comment 27G:** *Page 4-11, Section 4.3.4 Visual/Aesthetics*

*The Corps believes that each alternative that converts natural lands into developed lands, such as roads or power substations, will have a negative visual and aesthetic impact.*

**Response 27G:** Comment noted and incorporated. Visual and aesthetic impacts are addressed for all alternatives in Section 4.3.4 of the EA.

**Comment 27H:** *Page 4-12 Section 4.4.1 Noise*

*It would be feasible to state that the construction of roads would increase the traffic in the area, which could cause an increase in the amount of noise in the area. The surrounding lands are considered environmentally sensitive lands and contain numerous animal species, some of which are listed as threatened or endangered species-by state and federal agencies. Are there any animal species that would be deterred from their normal routine as a result from an increase in the noise levels? The noise impacts associated with the addition of vehicles where there currently are none should be evaluated.*

**Response 27H:** Noise issues involving traffic on the proposed Seminole Pratt Whitney Road extension are addressed in Section 4.4.1 of the EA. The noise impacts were evaluated based on NEPA requirements and other Federal laws that pertain to Federally funded projects. These regulations deal only with the human environment.

**Comment 27I:** *Page 4-19, Section 4.4.5 Navigation*

*"There are no navigable waterways (as per the U.S. Coast Guard [USCG] and USACE criteria) within the project study area." Please define the project study area. The C-18 Canal, which is considered a navigable waterway, is located in the vicinity of the project.*

**Response 27I:** Comment noted and incorporated. The text in the EA has been clarified to state that a USACE determination must be sought prior to any activities.

**Comment 27J:** *Page 4-37, Section 4.6 Cumulative Effects*

*The cumulative impacts associated with the 1.63-acre land transfer should include the construction of Seminole Pratt Whitney Road and any potential construction that could happen in the reasonably foreseeable future. This could include further development on the 1,919-acre Mecca farms property, development on the Vavrus Ranch, or possibly an increase in the development rate on the Palm Beach Park of Commerce site located north of the intersection of Seminole-Pratt Whitney Road and the Beeline Highway.*

**Response 27J:** The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. In addition, as stated in the EA, Section 1.2, Background, the widening and extension of Seminole Pratt Whitney Road due north is included in the Palm Beach County MPO's adopted 2030 LRTP, the 2030 adopted Cost Feasible Plan Map, and the 2030 Thoroughfare Roadway Plan in the adopted Palm Beach County Comprehensive Plan, so will occur independently of this action. Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

**Comment 28:** *The following comments regarding the Environmental Assessment for the proposed land transfer within the J W Corbett Wildlife Management Area (Corbett) are submitted on behalf of 1000 Friends of Florida, the Florida Wildlife Federation, the National Wildlife Federation, the Environmental and Land Use Law Center and members of our respective organizations. We are concerned that the best interests of the public have not been addressed regarding the transfer.*

*Furthermore, we feel that the Environmental Assessment (EA) is inaccurate due to missing and incomplete information provided as a basis for allowing such a "swap". The authors repeatedly isolate the land swap from the larger development scenario that is being proposed adjacent to publicly held natural areas, thereby underestimating the indirect and cumulative effects the proposed action will have on Corbett. The National Environmental Policy Act (NEPA) requires the U.S. Fish & Wildlife Service (FWS) to take a "hard look" at all significant effects, including the indirect and cumulative ones arising from this proposed action. Because the effects of the proposed action on the human environment are likely to be significant, FWS should prepare an Environmental Impact Statement (EIS), as required under the National Environmental Policy Act (NEPA). 42 U.S.C. §b4332(c); 40 C.F.R. § 1502.3. We also have several specific concerns and comments regarding the EA, as discussed below.*

**Response 28:** Comment noted. The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. In addition, as stated in the EA, Section 1.2, Background, the widening and extension of Seminole Pratt Whitney Road due north is included in the Palm Beach County MPO's adopted 2030 LRTP, the 2030 adopted Cost Feasible Plan Map, and the 2030 Thoroughfare Roadway Plan in the adopted Palm Beach County Comprehensive Plan. Therefore, the widening will occur independently of this action. Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

**Comment 28A:** *To begin, the assumption on page 1-2 that "The County has asserted, and the State has reviewed and accepted, that none of the other potential sites met the requirements of TSRI and the Palm Beach County Business Development Board" is incorrect. Scripps representatives have stated that TSRI requires 100 acres for itself and 400 acres for associated bio-tech industry businesses. While no studies were conducted to identify other sites until well after the decision was made to place TSRI on Mecca Farms, other sites that meet these criteria do exist.*

*“The County, with concurrence from FWS has determined that no alternative sites exist”... From what basis did FWS make this determination? Please provide documentation to support this statement.*

**Response 28A:** FWC concurrence (compliance with the state’s Incompatible Use Policy) is stated on page 2 of the letter dated August 2, 2004, to Sam Hamilton, Regional Director, Division of Financial Aid, US Fish & Wildlife Service from Kenneth D. Haddad, Executive Director, Florida Fish and Wildlife Conservation Commission.

**Comment 28B:** *Section 1-2 also states that “the County proposes to use a portion of the property to enhance surrounding environmentally-sensitive lands, meet regional water management goals and to buffer nearby residents.”*

*We do not believe that it is possible to enhance environmentally sensitive lands by putting a research park in the middle of such lands and then setting aside a small portion of the biotechnological village as environmentally sensitive. The County could instead protect such precious lands by choosing one of the alternative sites.*

**Response 28B:** The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County’s assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. No modeling for CERP has been completed to date. Alternative 1B takes into account flow-way alternatives being considered by CERP to improve flows to the Loxahatchee River. The various No-Build Alternatives do not provide this feature. (See Section 4.6.2, Impacts of Land Transfer, of the EA.)

**Comment 28C:** *On page 1-3, reference is made to CERP in the context of providing a flow way on Corbett that connects the L-8 reservoir to the C-18 canal. How was the size of the flow-way determined? Modeling is incomplete and it is unknown what the eventual needs will be for the restoration of Northern Palm Beach County and the Loxahatchee River, and no data has been provided to determine whether a 150 foot canal/flow way is adequate.*

*No land has been purchased to assure those connections. Flow ways have not yet been approved by the ACOE for CERP. If approved, how will the flow way be connected to the Palm Beach Aggregates rock pits?*

**Response 28C:** Comment noted and incorporated in Section 3.4.1, Wetlands, of the EA. No modeling for CERP has been completed to date. Alternative 1B takes into account flow way alternatives being considered by CERP to improve flows to the Loxahatchee River. (See Section 4.6.2, Impacts of Land Transfer, of the EA.)

**Comment 28D:** *2.2.1.1 Refers to the chosen alternative for impacts to Corbett. In it, reference is made to a “holistic” analysis instead of “piece-mealing” easement requests, however, the document contradicts itself by isolating the subject property from the larger impacts related to the development of Mecca Farms. There is no reason or justification to pretend that intense development is not proposed to occur. This analysis is severely lacking in the detail required of such an intense development in determining secondary and cumulative impacts.*

*Has the FWS looked at those secondary and cumulative impacts in the context of intense development adjacent to Corbett? If so, please provide any studies that were conducted. One cannot assume that the road will exist on its own, as the scope of the biotech is well understood. How are issues such as road-kill, lights, noise, run-off and other development related impacts to wildlife being addressed?*

**Response 28D:** The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

**Comment 28E:** *3.2.4, page 3-4 Visual/Aesthetics - the visual impacts resulting from intense development on the Mecca property are unquestionable to those wishing to experience the wilderness. The road itself presents a visual impact, as will construction equipment and buildings. How will hikers and others' wilderness experience be affected by intense development on adjacent property? How will lighting impact citizens and scientists (astronomy) who need dark skies for viewing the night sky? Have surveys or questionnaires been sent to users of the Corbett to understand their issues?*

**Response 28E:** Visual and aesthetic impacts are addressed for all alternatives in Section 4.3.4 of the EA. The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

In accordance to NEPA requirements, display advertisements were published in the Palm Beach Post advertising the availability of the EA for review and the Public Open House. A 30-day comment period was allowed for the public to comment on the EA. In addition, invitational letters were mailed to property owners adjacent to the proposed alternatives, and other interested parties. In addition, a project website was developed by FWS to provide information and to allow the public to comment on the proposed action.

**Comment 28 F:** *Another deficiency in the Environmental Assessment, perhaps due to the short-time within which it was assembled, is that several listed species that are potentially present within the transfer area(s) were either intentionally or un-intentionally omitted from discussion. The current Conceptual Management Plan for J.W. Corbett Wildlife Management Area (FWC, 2003) includes lists of the flora and fauna that have been documented to occur on the property. A review of these lists in comparison with EA Table 3-7 (i.e., Protected Species that may Occur Within One or More Alternatives) indicates that that several species that are listed as endangered and/or threatened and which occur in the habitat types that are present within the proposed transfer areas were not identified in the EA. These include:*

<u>Scientific Name</u>	<u>Common Name</u>	<u>Designated Status*</u>	<u>Habitat Preference**</u>
<i>Bletia purpurea</i>	Pinepink orchid	FDA-Threatened	Flatwoods
<i>Lilium catesbaei</i>	Catesby Lily	FDA-Threatened	Moist Flatwoods
<i>Pogonia ophioglossoides</i>	Rose Pogonia	FDA-Threatened	Wet Flatwoods
<i>Platanthera (Habenaria) nivea</i>	Snowy orchid	FDA-Threatened	Wet Flatwoods
<i>Spiranthes laciniata</i>	Lacelip ladystress	FDA-Threatened	Hypericum-sedge marshes

**Response 28F:** After additional coordination with, and at the request of the FWC, all the above state listed plant species except *Spiranthes laciniata* have been added to Table 3-7 within Section 3.4.5.3 of the EA. In addition, at the request of the FWC, the following state listed plant species have also been added to Table 3-7 within Section 3.4.5.3.

giant leather fern ( <i>Acrostichum danaeifolium</i> )	FDA-Commercially Exploited*
bearded grass pink ( <i>Calopogon barbatus</i> )	FDA-Threatened
long strap fern ( <i>Campyloneurum phyllitidis</i> )	FDA-Endangered
butterfly orchid ( <i>Encyclia rampensis</i> )	FDA-Commercially Exploited
rein orchid ( <i>Habenaria distans</i> )	FDA-Endangered
celestial lily ( <i>Nemastylis floridana</i> )	FDA-Endangered

Note: \* Not listed in the 22 April 2004 update of Chapter 5B-40 FAC.

In addition to the various plant species listed above, the least tern (*Sterna antillarum*), a state listed threatened bird species has also been added to the species list. The addition of this species to Table 3-7 was made at the request of the FWC.

While none of these species are listed within the Florida Natural Areas Inventory (FNAI) occurrence data base for the area, and none were found within the project alternative during field reviews, Palm Beach County has agreed to conduct additional plant surveys of the selected project alternatives prior to any construction activities. If any protected plant species are found, appropriate relocation and/or take permits and approvals will be obtained. This commitment has been added to Section 4.5.7.3 of the EA.

**Comment 28G:** *There are also several additional threatened and/or endangered plants that are not included in Appendix E of the J.W. Corbett Management Plan but which are known to occur within the wetland habitats in Palm Beach and/or Martin Counties which would be affected by the proposed land transfer. The EA should include an analysis of potential adverse impacts to these species due to their potential presence on one or more of the properties being considered in the land transfer. These include:*

<u>Scientific Name</u>	<u>Common Name</u>	<u>Designated Status*</u>	<u>Habitat Preference**</u>
<i>Calopogon multiflorus</i>	Many-flowered Grass Pink	FDA-Endangered	Flatwoods
<i>Harisella porrecta</i>	Needleroot airplant	FDA-Threatened	Mesic forests
<i>Pinguicula caerulea</i>	Blueflower Butterwort	FDA-Threatened	Flatwoods
<i>Tillandsia fasciculata</i>	Stiff-leaved Wild Pine	FDA-Endangered	Cypress Swamps
<i>Tillandsia utriculata</i>	Giant Wild Pine	FDA-Endangered	Hammocks, Cypress swamps

\* = Designations as identified in Section 5B-40.0055 Florida Administrative Code

\*\* = Habitat preferences taken from Guide to the Vascular Plants of Florida, R. Wunderlin.

**Response 28G:** Please note that *Tillandsia fasciculata* and *T. utriculata* are both listed within Appendix E of, “*A Conceptual Management Plan for J.W. Corbett Wildlife Management Area 2003-2004.*” However, during additional coordination with FWC staff at the JWCWMA, none of the above state listed plant species were recommended for addition to Table 3-7 in Section 3.4.5.3 of the EA. In addition, none of these plant species are listed in the FNAI occurrence database for the area, and none were found within the project alternatives during field reviews. As a result, these species were not added to Table 3-7 of the EA.

**Comment 28H:** *Flora and fauna are listed as endangered or threatened due to their extremely low numbers and other factors (often habitat loss) that may result in extinction. It is our opinion that a decision regarding the proposed land transfer should not be made until such time as thorough surveys using scientifically appropriated protocols for these species has been completed within each the tracts that is being considered.*

**Response 28H:** The information presented in the EA came from direct observation and surveys, or was provided by qualified sources as noted in the EA, including FWC personal located at the JWCWMA. Criteria used to determine species inclusion within the protected species table included species-specific data (e.g., habitat preferences, life cycle data, etc.) as well as field reviews for determination of potential occurrence. Initially, Federally and state listed species that occur within Palm Beach County were determined using 50 CFR parts 17.11 and 17.12, Rules 68A-27.003 through .005 (FAC), and Chapter 5B-40 FAC. Once a potential list of protected species was generated, each species was researched for habitat preferences and documented occurrences within the area. Species were then subsequently removed from the list based upon a lack of habitat (i.e., no sea turtles within inland/upland habitat). The final list that provides the basis for Table 3-7 in Section 3.4.5.3 of the EA includes all species that have the potential of occurrence within the study area based upon reasonable scientific judgment.

The probability of occurrence ranking of either low, medium, or high is based upon definition found within Section 3.4.5.3, Wildlife, of the EA. These definitions are based upon the presence of preferred species habitat within project alternatives, documented occurrences of the species within one mile of project alternatives, and/or field review sightings of the species within project alternatives and/or from direct input by FWC personal located at the JWCWMA.

In addition, to further protect listed species which have the potential to be present within the project areas, Palm Beach County has agreed to conduct additional surveys prior to construction activities, to implement construction guidelines during construction, to suspend construction in areas if protected species are encountered, and to obtain take or replication permits if needed prior to construction. These commitments made by Palm Beach County are discussed within Section 4.5.7.3 of the EA.

**Comment 28I:** *1000 Friends of Florida, the Florida Wildlife Federation and the National Wildlife Federation are concerned that, for the majority of the protected species listed on Table 3-7, the EA inappropriately identifies the Potential for Occurrence On-Site as ‘Low’. In many cases, it appears that this determination may have been made primarily because the species did not happen to be seen on four specific days during November 2004. No information was provided regarding weather conditions on those days, and it is widely known that wildlife viewing opportunities are highly weather dependant. Additionally, many of the threatened*

and/or endangered species (e.g., indigo snake, snail kite, sandhill crane), are known to have large home range territories such that their absence on four particular days during November should not be misconstrued that they do not use the subject properties. Indeed, the JWCWMA was purchased in part because these lands do provide habitat for these listed species.

No evidence is provided that typical herpetofaunal inventorying techniques (e.g., drift fences) were used, and it is highly unlikely that casual observations for these species, including the indigo snake, would reveal the presence of these species unless such techniques were employed.

**Response 28I:** After additional coordination with the FWC staff located at the JWCWMA, a total of nine additional state listed plant species and one state listed animal species were added to Table 3-7 of the EA. In addition, the classifications of nine of the species previously listed within Table 3-7 in Section 3.4.5.3 of the EA were changed at the request of the FWC. These nine species include:

American alligator	from low to high
Indigo snake	from low to moderate
Roseate spoonbill ( <i>Ajaia ajaja</i> )	from low to moderate
Limpkin ( <i>Aramus guarauna</i> )	from low to high
Snowy egret ( <i>Egretta thula</i> )	from low to high
White ibis ( <i>Eudocimus albus</i> )	from low to high
Bald eagle ( <i>Haliaeetus leucocephalus</i> )	from low to moderate
Wood stork ( <i>Mycteria americana</i> )	from low to high
Snail kite ( <i>Rostrhamus sociabilis plumbeus</i> )	from low to moderate

With respect to reptiles and amphibians reported to occur within Palm Beach County by the FNAI, a total of five species were reviewed. These species included the gopher frog (*Rana capito*), the gopher tortoise (*Gopherus polyphemus*), the Florida pine snake (*Pituophis melanoleucus mugitus*), the eastern indigo snake (*Drymarchon couperi*), and the American alligator (*Alligator mississippiensis*). Of these species, it was determined that habitat for the eastern indigo snake and the American alligator exists within the area of the project alternatives. Within Table 3-7 of the EA, these species were given a moderate and high probability of occurrence, respectively.

Because of its mobility, the presence of extensive habitat adjacent to the project alternatives, and the addition of the Minkin Parcel to the JWCWMA, it was determined that the proposed action would not affect the American alligator. While the potential for occurrence for the eastern indigo snake was listed as moderate in Section 3.4.5.3 of the EA, Section 4.5.7.3 states that standard eastern indigo snake protection measures developed by the USFWS, will be implemented during construction activities occurring within the selected project alternatives. As a result of these actions and as part of their Section 7 consultation, the USFWS has made a determination that the project “may effect but is not likely to adversely affect” the eastern indigo snake.

**Comment 28J:** *It is well documented that wood storks forage in shallow, isolated wetlands, and that as wetlands ‘shrink’ in size during the dry season, prey become more concentrated and wood storks are able to forage more efficiently and effectively. Hurricanes Frances and Jeanne*



*both hit Palm Beach County during September 2004, dousing the subject properties with heavy rainfall events. To conduct surveys on four days during November 2004, when water levels were still high (and possibly too deep for wood storks to be able to forage) and then infer that the potential for this species to occur on site is "Low" is inappropriate and ill-based.*

**Response 28J:** At the request of FWC staff located at the JWCWMA, the probability of occurrence for the wood stork has been changed within Table 3-7 from low to high.

While the potential for occurrence for the wood stork was originally listed as low, now high on Table 3.7, Section 3.4.5.3 of the EA states that project alternatives are located within the core foraging area (CFA) of two documented wood stork rookeries. As a result, wetlands located within the project alternatives may be utilized by this species as foraging habitat. Section 4.5.7.3 further states that "in order to ensure that these rookeries would not be impacted by the proposed project, mitigation for any wetland impacts associated with the selected project alternatives would be in conformance with all Federal and state regulatory requirements. As a result of these actions and as part of their Section 7 consultation, the USFWS has made a determination that the project "may effect but is not likely to adversely affect" the wood stork.

**Comment 28K:** *Similarly, during the wildlife surveys, the presence of apple snails (Pomacea paludosa) was noted, but no mention was made in the EA that this species is the sole prey item for the snail kite, a species that has been designated as endangered by both the State of Florida and the federal government. Snail kites are known to nest in the area and have has been documented to occur in the vicinity. The EA authors inappropriately seem to make significant inferences based on their oft-repeated phrase that "The probability of occurrence is low due to a lack of documented sightings within one mile of any of the project alternatives." It should be obvious that with the variety of state-listed and federally-listed species that are present on the Corbett Wildlife Management Area, and with a very limited work force, property managers are not inclined to document the location of every sighting of every listed species. Additionally it should be recognized that the Florida Natural Areas Inventory (FNAI) database includes only those occurrences that are reported to them. The species profile for the Snail Kite (EA - Appendix B of the Ecological Assessment Technical Memorandum) indicates that for the protection and management of snail kites, it is recommended that there continue to be "mid-winter surveys to monitor population and identify areas used during droughts". This certainly implies that no conclusions regarding presence or absence of this species should be drawn based on the results of surveys on four days at an extreme high-water time of the year. This example further supports our contention that no decisions should be made regarding the transfer of lands until after methodical, science-based inventories are conducted and their results analyzed.*

**Response 28K:** At the request of FWC staff located at the JWCWMA, the probability of occurrence for the snail kite has been changed within Table 3-7 from low to moderate.

While the potential for occurrence for the snail kite was originally listed as low, it was acknowledged within Section 4.5.7.3 of the EA that the snail kite has the potential to utilize natural habitats located within the area of the project alternatives and as a result, Palm Beach County has made the commitment to resurvey the selected project alternatives for snail kites and their nests prior to the start of any construction activities. In addition, the County has agreed to not construct within 1,500 feet of any identified nest during the nesting season (January 15

through June 30). This commitment is stated within Section 4.5.7.3 of the EA. As a result of these actions and as part of their Section 7 consultation, the USFWS has made a determination that the project “may effect but is not likely to adversely affect” the snail kite.

**Comment 28L:** *We do not see any evaluation of the impacts of noise on wildlife in the document with the exception of the statement “In no case does the 66dBA contour extend more than 100 feet into the JWCWMA. Therefore, traffic noise impacts to wildlife and recreational area users would be negligible.”*

**Response 28L:** Regulations dealing with the impacts of traffic noise and noise abatement criteria established by the FHWA and in the CFR (23 CFR 772) pertain only to areas of frequent human use. There are no Federal or state regulations dealing with traffic noise effects on wildlife.

**Comment 28M:** *During the open house, we noticed that all reference to noise was in terms of impacts to humans, i.e. churches, schools, residences, etc., and the measure of 66 dB was the constant. The correlation to something we could identify with in real terms was described as the noise equivalent of a pick-up truck, lawnmower, or vacuum cleaner. There will be four to six lanes of divided highway and a medium sized city nearby with its associated noise levels from large trucks, lawnmowers, loading equipment, sirens, horns, music, etc. How many dBs are truly associated with these uses? Why and how was 66dB determined to be the noise level?*

**Response 28M:** Regulations dealing with the impacts of traffic noise and noise abatement criteria established by the FHWA and in the CFR (23 CFR 772) pertain only to areas of frequent human use. The 66 dBA criterion comes from the Federal regulations and the FDOT’s Project Development and Environment Manual (Part 2, Chapter 17). There are no Federal or state regulations dealing with traffic noise effects on wildlife.

**Comment 28N:** *How will wildlife be affected by noise? When asked how those noise levels affected wildlife, the consultant had no answer. We were told that they did not check tolerable noise levels relevant to wildlife impacts. What will the noise levels be during construction?*

**Response 28N:** There are no Federal or state regulations dealing with traffic noise effects on wildlife. During the construction phase of the proposed project, short-term noise may occur in the immediate vicinity of the project corridor. The effects are controlled by adherence to FDOT Standard Specifications of Road and Bridge Construction.

**Comment 28O:** *(1) How will Corbett be affected by the lighting that will be installed along the roadway and in the adjacent development? What are wildlife tolerances to artificial nocturnal lighting? How will lighting affect the blooming of plants in Corbett that may have indirect impacts on fruit set and wildlife foraging opportunities?*

*(2) In addition, we asked the consultants about impacts to wildlife and why the study only talks about the swap land and not in larger terms. We know that if the larger development of the Mecca site were not taking place, there would not be a need to look at impacts on any portion of the Corbett at this time.*

**Response 28O:** (1) No determination has yet been made as to the nature of lighting that may or may not be associated with the extension and expansion of Seminole Pratt Whitney Road.

(2) The proposed action for this project is a change in land use on the JWCWMA. However, it is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA.

**Comment 28P:** *(1) Page 3-1, Section 3.0 Methodology - we disagree with isolating the land swap from its cause, which is the development of a biotech park on Mecca Farms. This assessment treats the Corbett swap impacts as an isolated event with no secondary or cumulative impacts.*

*(2) It is clear that there will be secondary and cumulative impacts from the development of an orange grove to a city roughly the size of West Palm Beach, and the consultants have failed to address these issues. Isolating the swap parcel from the larger questions ignores known and suspected impacts to the resource.*

**Response 28P:** (1) The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA.

(2) Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

**Comment 28Q:** *The methodology section also suggests that the future land uses are not likely to be affected by the land swap. The question of why we are conducting a land swap in the first place indicates that land uses are already being affected in the region, and again points to the problem of attempting to isolate the swap away from its cause.*

*It is a fact that adjacent large landowners are taking advantage of the rush to develop northwestern Palm Beach County. While the document states that this land transfer does not have any effect on regional development trends, we do know that this is only a small piece of what is happening in the area and that indeed, development trends have exploded as a result of the TSRI proposal on Mecca.*

**Response 28Q:** The current adopted Palm Beach County Comprehensive Plan provides for Economic Development Center use on the PBCBRP site. There are other parcels in the immediate area that are in various stages of development and land use changes. All of these developments and regional development trends have been addressed in the EA in Appendix E, Cumulative Effects, and summarized in Section 4.6.

**Comment 28R:** *(1) The EA indicates that the Cumulative Analysis is based upon the definition by the Council on Environmental Quality, which states that "...the impact on the environment which results from the incremental impact of the action when added to other past present and reasonably foreseeable future actions regardless of what agency (federal or non-Federal) or person undertakes such other actions". 40 C.F.R. § 1508.7. It further identifies that "This analysis identifies a number of environmental effects that are reasonably likely to result from secondary actions related to the alternatives under consideration." Unfortunately, the EA does not then proceed to accurately identify, describe and evaluate the various indirect impacts of the project.*

*Within these contexts, it is completely illogical that the EA avoids addressing the reality that the proposed land transfer is related to the construction of Seminole-Pratt Whitney Rd. and but not for the Biotechnology Research Park, this road would be being proposed at this time. The cumulative impacts that should be addressed in the EA, therefore include:*

*(2) Environmental impacts associated with all aspects of the transportation network that are required as a result of the proposed project. Comments on the Biotechnology Research Park DRI application by the Treasure Coast Regional Planning Council indicate that without additional upgrades, the project will result in 51 substandard roadway segments. (TCRPC, 2004).*

*(3) Wildlife mortality that is likely to occur as the result of construction of the road network.*

*Wildlife mortality that is likely to occur as the result of construction of the infrastructure proposed.*

*(4) Ability for JWCWMA land managers to continue to manage with fire and therefore manage for fire dependant floral and faunal species (e.g., red-cockaded woodpecker).*

*(5) Effects of the use of pesticides and herbicides that will likely be applied to control pests on the roadsides*

*(6) Effects of using chemical mosquito control on the food web.*

*(7) Potential adverse impacts of street lighting on nocturnal and diurnal species.*

**Response 28R:** (1) The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. As stated in the EA, Section 1.2, Background, the widening and extension of Seminole Pratt Whitney Road due north is included in the Palm Beach County MPO's adopted 2030 LRTP, the 2030 adopted Cost Feasible Plan Map, and the 2030 Thoroughfare Roadway Plan in the adopted Palm Beach County Comprehensive Plan. Therefore, the widening will occur independently of this action. Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects Analysis, and summarized in Section 4.6 of the EA.

(2) As stated in Appendix E, Cumulative Effects Analysis, and Section 3.2.1.1, Developments of Regional Impact, of the EA, the DRI process identifies impacts and provides for a plan for mitigation for each impact. The multi-level review process that spans planning and growth management and includes water resources, historical and cultural resources, public safety, disaster preparedness, wildlife and ecological resources, and transportation impacts includes adequate review and impact mitigation for the action proposed. All environmental impacts for proposed transportation projects have been included in our cumulative analysis and required mitigation will be addressed by the appropriate permit agencies (see Table 3.8).

(3) The widening of Seminole Pratt Whitney Road may increase the likelihood of road kill of many common species found on the JWCWMA (such as deer, raccoon, etc.) However, the road widening and other proposed infrastructure construction will require environmental permits from

both Federal (USACE) and state (SFWMD) regulatory agencies. As part of the review of these permit applications, the Service and the FWC will have the opportunity to review the proposed roadway widening plan and recommend modifications and/or additions to the plan which will minimize impacts to wildlife. Additions and modifications to the plans could include measures to minimize these impacts either through design or management changes.

(4) Management of the JWCWMA is determined by the FWC. The management plan addresses fire management for the JWCWMA. The plan can be viewed on the world-wide web at <http://wld.fwc.state.fl.us/planning>.

(5) Per Palm Beach County Public Works Department, limited amounts of herbicides/pesticides are used on roadways primarily for vegetation control around guardrail. They follow the current Florida Statutes as follows: Title XXXII Regulation of Professions and Occupations, Chapter 487 Pesticide Regulation & Safety Part I, Florida Pesticide (ss. 487.011-487.175) Part II, and Florida Agricultural Worker Safety Act (ss. 487.2011-487.2071). Furthermore, Palm Beach County states that they are currently not anticipating any guardrail within the project area, therefore if any herbicides/pesticides are ever used it would be very limited.

(6) According to information received from Palm Beach County, they do not spray the JWCWMA or adjacent natural areas. They also do not spray large rural areas where there are no residences. They do currently spray the populated areas of The Acreage in the vicinity of JWCWMA.

(7) No determination has yet been made as to the nature of lighting that may or may not be associated with the extension and expansion of Seminole Pratt Whitney Road. As part of the review of these permit applications, the Service and the FWC will have the opportunity to review the proposed roadway widening plan and recommend modifications and/or additions to the plan which will minimize impacts to wildlife. Additions and modifications to the plans could include measures to minimize these impacts either through design or management changes.

**Comment 28S:** *Section 4.5.7.4 implies that the conservation land lost at JWCWMA would be compensated for by the Minkin land. The Minkin land does not provide an added value to the environment as it already exists, and the County would still be losing the conservation land.*

*On Page 4-38, Paragraph 2, the EA states that “the loss of wildlife-related values in Parcels A and B would be replaced with the addition of the Minkin Parcel to the JWCWMA.” Wildlife-related values are an inherent part of the Minkin Parcel so it is not a matter of substitution. Wildlife-related values will be lost by development on any of the alternatives; changing the boundaries of the JWCMA does not change the fact that wildlife will be adversely affected. In other words, the Minkin property has the same environmental value independent of who owns or manages it unless it is allowed to be developed.*

**Response 28S:** The Minkin Parcel is presently not a part of any conservation area, but is a privately owned parcel. According to the Martin County current and future land use maps, land use on the Markin Parcel is designated “agricultural.” The current zoning for the Minkin Parcel is IZ, which is intermittent zoning. This means that it has no zoning classification at this time, and the owner could request any zoning classification for the parcel that he desired. As a result,

the development of this parcel can occur provided all local, state, and Federal permits and approvals are acquired. The addition of the parcel to the JWCWMA would remove it from private ownership and any likelihood of development, and result in an overall net increase in the area of the JWCWMA of 60 acres. The word “replaced” on Page 4-38 in the EA will be changed to “compensated for.”

**Comment 28T:** *In Section 4.2.8 (Controversy Potential), the EA states that, for Alternative 1-B (the option that involves construction of a new electrical substation on JWCWMA lands) “Minor controversy is anticipated from the public”. In representing our thousands of members, 1000 Friends of Florida and The Florida Wildlife Federation hereby strongly expresses its opposed to the permanent conversion of Corbett Wildlife Management Area lands for the purposes of constructing and operating an electrical substation. This opposition is particularly more vehement due to the fact that other alternatives exist that would result the substation being placed within the property where there is the demand for the additional electrical service.*

**Response 28T:** The comment regarding opposition to the permanent conversion of JWCWMA lands for the purposes of constructing and operating an electrical substation is noted. Alternatives 3B and 4B, as described in Section 2.0 of the EA, have the substation located on the Mecca Farms property. However, in both cases, JWCWMA lands are still required to connect the substation to the existing power transmission lines on the JWCWMA. Alternative 2B, also described in Section 2.0 of the EA, is the No-Action alternative and provides for the substation to be placed on residential property in The Acreage and does not involve use of JWCWMA lands.

**Comment 28U:** *The document itself contains redundancy and is difficult to follow, making public comment burdensome and difficult. It probably could have been less than half its size and arranged better for more effective use. This is a document meant for and paid for by the public to assess their land, and should have better targeted to that audience. It is essential to provide a scientific review and that work can be provided in a more reader-friendly manner.*

**Response 28U:** Comment noted.

**Comment 28V:** *The report leaves out much information regarding wildlife occurrence, listed species information, and nesting and denning. It relies on random data that may be incorrect or incomplete rather than fieldwork, and does not address noise, lights, road and adjacent development impacts.*

**Response 28V:** Additional coordination with the FWC staff located on the JWCWMA has resulted in the addition of ten state listed species to Table 3-7 in Section 3.4.5.3 of the EA and the revision of probability of occurrence for an additional seven species previously listed in Table 3-7. Nine of the ten species added to this table were state listed plant species. As a result of this, Palm Beach County has made the commitment to resurvey the selected project alternatives for these plants, as well as any other listed plants, prior to the start of project construction. If protected plants are found, the County will obtain all appropriate take and/or relocation permits for these plants. This commitment has been added to Section 4.5.7.3 of the EA.

Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

**Comment 28W:** *It implies that this swap is taking place in a vacuum, when we all know it is a part of a much larger development scheme which does, in fact, have regional impact. The report does not address secondary nor cumulative impacts to wetlands, wildlife, or listed species.*

**Response 28W:** The proposed action for this project is a change in land use on the JWCWMA. It is Palm Beach County's assertion that development of the PBCBRP will take place no matter what action is taken regarding the preferred alternative set forth in the EA. (See Section 4.1 Summary of Effects, of the EA.) Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

**Comment 28X:** *A hard copy of the document was difficult to get. It was offered at the library, online, or sent to a short list of recipients. Some people do not have computers or do not choose to use them, and trying to decipher, copy, and respond to this document in the library would have been a nightmare.*

**Response 28X:** Hard copies of the EA were sent to 1000 Friends and the Audobon Society. Availability of the document complies with NEPA requirements. Electronic copies of the document are available upon request and on the USFWS website (<http://southeast.fws.gov>).

**Comment 28Y:** *This report is another attempt to piecemeal the development process of a very important project to make it seem more palatable and less damaging than it is. It glosses over issues that should have been starting points for debate over whether this is the intent for the best use of public conservation land. It lacks solid scientific data, and it substitutes general data for real field study. It ignores the regional development implications, and does not begin to address secondary or cumulative impacts to public lands.*

*To reiterate, we strongly urge the FWS to prepare an EIS to ensure that it takes the requisite hard look at the significant direct, indirect, and cumulative effects the proposed land transfer will have on Corbett. In fact, because of the huge implications of the Corbett transfer for facilitating adjacent development, we also suggest a full EIS be done for Corbett, Hungryland Slough, Loxahatchee Slough, Loxahatchee River, Grassy Waters Preserve, and other publicly owned lands in Northwestern Palm Beach County.*

**Response 28Y:** Comment noted. Cumulative effects as they relate to the proposed action are addressed in Appendix E, Cumulative Effects, and summarized in Section 4.6 of the EA.

**Comment 29:** *The Miccosukee Tribe received your letter concerning the proposed land transfer and resulting EA of the F.W. Corbett Wildlife Management Area in Palm Beach and Martin Counties, FL. After consultation with Mr. Dayhoff and careful review of the documentation provided, the Tribe determined that there is no cultural, historical, or religious site of the Tribe at this location. This determination was based on the documentation provided by the U.S. Fish and Wildlife Service.*

**Response 29:** The comment, regarding no objection to the proposed action, is noted.

**Comment 30:** *The Florida State Clearinghouse has coordinated a review of the above-referenced Environmental Assessment (EA) and, based upon comments received from reviewing agencies as described below and attached, the state has no objection to the proposed project. The EA was prepared for the United States Fish and Wildlife Service (USFWS) to support its decision on a request by the Florida Fish and Wildlife Conservation Commission (FWCC) to change the authorized use of two parcels of land within the J.W. Corbett Wildlife Management Area (JWCWMA). The subject parcels consist of 28.37 acres and 1.63 acres. Funds for acquisition of the JWCWMA were provided under the federal Pittman-Robertson Wildlife Restoration Act, and any change to the purpose for which the lands were acquired must be approved by the USFWS. The FWCC's change-of-use request was prompted by a request from Palm Beach County (the County) to use the two parcels of JWCWMA lands for certain infrastructure to support the proposed Palm Beach County Biotechnology Research Park (PBCBRP). In exchange for use of the lands, the county proposes to purchase and convey to the State of Florida a 60-acre parcel of undeveloped land adjacent to the northern boundary of the JWCWMA (the Minkin Parcel). The following is a synopsis of remarks submitted to the Clearinghouse by reviewing agencies.*

**Response 30:** Comment regarding no objection to the proposed action is noted.

**Comment 30A:** *The FWCC notes that its staff participated in development of the EA and that the USFWS has already addressed concerns that FWCC expressed at the initiation of the EA preparation process. Accordingly, the FWCC has no further comments on the EA.*

**Response 30A:** Comment noted.

**Comment 30B:** *The South Florida Water Management District (SFWMD) notes that on December 8, 2004, the district governing board approved issuance of an Environmental Resource Permit (ERP), granting conceptual approval for a surface water management system for the entire 1,919-acre PBCBRP site, as well as construction and operation approval for Phase 1A of the PBCBRP (535 acres). During its review of the conceptual permit application, the SFWMD evaluated potential impacts associated with construction of the support infrastructure and determined that additional mitigation will be required when those facilities are constructed. The mitigation will be provided within the southern lake and natural areas of the PBCBRP and in the Unit 11 Mitigation Area created by agreement between the SFWMD and Palm Beach County dated January 11, 2000. Approval of the County's request for a 28.37-acre easement within the JWCWMA (Preferred Alternative 1B) would be consistent with the conceptual permit already issued by the SFWMD. Please refer to the enclosed project information sheet for additional information.*

**Response 30B:** Comment noted. Issues regarding additional mitigation will be coordinated with SFWMD during the permitting process for the infrastructure.

**Comment 30C:** *The Florida Department of Environmental Protection (DEP) notes that the proposed change in land use will accommodate reestablishment of the hydrologic connection between the L-8 basin and the Loxahatchee River. The proposed flow-way connection is a component of the North Palm Beach Part 1 Everglades restoration project, which will allow water to move from the L-8 storage areas to the Loxahatchee River, thereby restoring more*



*natural seasonal flows to the river system. Please refer to the enclosed DEP memorandum for additional comments and clarifications regarding the EA.*

*The DEP also notes that the proposed activities will require a National Pollutant Discharge Elimination System (NPDES) permit, as indicated in Appendix A.5. of the EA. The applicant should contact Mr. Geoff Rabinowitz at (850) 245-7521 for specific NPDES stormwater permit requirements. The DEP's Division of State Lands notes that in August 2004, the Acquisition and Restoration Council reviewed and approved Palm Beach County's proposed use of Trustees' lands within the JWCWMA. The approval was issued with the caveat that should the Scripps Institute be developed in an alternative location, the Council's approval would be null and void.*

**Response 30C:** Comment noted.

**Comment 30D:** *The Division of Historical Resources of the Florida Department of State (DOS) notes that a cultural resource assessment survey of the three parcels involved in the proposed land transfer had previously been reviewed by the DOS. The reconnaissance survey encountered no archaeological or historical resources on any of the tracts. Based on the negative results of the survey, the cultural resources consultant determined that the proposed property transfer would have no effect on properties listed (or eligible for listing) in the National Register of Historic Places or otherwise of historical or archaeological value. The DOS concurred with the consultant's determination that the proposed land transfer would have no effect on historical resources. Please see the enclosed letter from the DOS for additional comments.*

**Response 30D:** Comment regarding no effect on historical and archaeological resources is noted.

**Comment 30E:** *The Florida Department of Transportation (FDOT) indicates that FDOT staff contacted the USFWS to gain clarification on the specific delineation and acreage of Parcel A, associated with the land transfer. The FDOT had originally raised a concern that the proposed parcel might not be of sufficient size to accommodate future transportation needs in and around the intersection of Seminole/Pratt-Whitney Road and SR-710, a Florida Intrastate Highway System facility. Based on FDOT and USFWS coordination efforts, however, FDOT has now confirmed that Parcel A is sufficiently distant from the intersection that it will not affect FDOT's ability to widen that facility. Furthermore, the USFWS has revised the area associated with Parcel A from 1.25 acres to 1.63 acres, and has clarified that 160 feet will be provided for roadway use. That width should be sufficient to accommodate anticipated growth in the area. Based on additional information provided by the USFWS, FDOT has concluded that its initial concerns have been addressed.*

**Response 30E:** Comment noted.

**Comment 30F:** *The Treasure Coast Regional Planning Council (TCRPC) expresses concern about the potential net loss of pine flatwoods habitat for the red-cockaded woodpecker within the JWCWMA and requests that additional measures be considered to compensate for any such loss. The agency responsible for protection of the species (FWCC), however, has worked with the USFWS to address potential impacts to woodpecker habitat and has expressed no concerns with*

*regard to potential habitat loss. Please see the enclosed project information sheet for additional comments by the TCRPC.*

**Response 30F:** Guidelines utilized by the USFWS to assess potential impacts to red-cockaded woodpecker clusters are found within “The Guidelines for Preparation of Biological Assessments and Evaluations for the Red-Cockaded Woodpecker” (Henry 1989). Based on this document, “Available foraging habitat is defined as pine and pine-hardwood stands over 30 years of age contiguous to and within 0.5 miles of the center of the colony (now referenced as cluster).” This document further states that, “if no active colonies are found (within 0.5 miles of the project area) then a “no effect” determination is appropriate.” The “no effect” determination is a term used by the USFWS to signify that the project will not jeopardize the continued existence of a Federally protected species. As stated in Section 3.4.5.3 of the EA, no active red-cockaded woodpecker clusters are located within 0.75 miles of any of the project alternatives. As part of their Section 7 review of the project, the USFWS determined that the project will not affect the red-cockaded woodpecker.

**Comment 30G:** *Based on the information contained in the application and the comments provided by the reviewing agencies, as summarized above and enclosed, the state has no objection to the proposed project. Authorizations required under the Pittman-Robertson Wildlife Restoration Act are not included in the list of federal actions requiring state review for consistency with the Florida Coastal Management Program under Section 380.23(3)(c), Florida Statutes; therefore, no such review is reflected in this document.*

**Response 30G:** Comment from the State of Florida having no objection to the proposed project is noted.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

The Sub Station does not belong on Corbett.

I do not want any change in the land use within J.W. Corbett Wildlife Mgt Area.

No land Transfer within J.W. Corbett Wildlife Mgt Area why are we mitigating in Martin County.

(No Action Alternative)

U.S. Fish & Wildlife should have given the public a presentation. This is wrong!!

There Needs to be an EIS!!!!

Attach additional sheets if needed

Name:

Stella Rossi

Address:

625 Whispering Pines Rd

City, State, Zip:

Bayton Bet Fl. 33435

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

I believe the Service should approve all easements requested by the County and/or FFWCC. Specifically Alternatives 1A and 1B. These alternatives will not result in any net harm to the environment and wildlife. Actually, these alternatives will provide a net benefit to the environment by creating a flowway for the District's CERP project that will restore water flows to the Loxahatchee River. In addition Corbett will receive 60 acres while losing use of only 30 acres.

No doubt that the proposal <sup>alternatives (1)</sup> is in the Best Interest of all concerned.

Attach additional sheets if needed

Name: Kent Safriet  
Address: 123 South Calhan St  
City, State, Zip: Tallahassee FL 32301

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

If the Corbett MUST be impacted, I would prefer the Alternative with the least amount of impact to the Corbett & the homeowners on Seminole Pratt. Quite frankly, it would be best if all were left alone, but I'm sure that thinking is fantasy. After careful consideration, I feel that the Alternative that best suits all is - Alternative 1B.

Attach additional sheets if needed

Name: Shari Shard  
Address: 4300 127 Trail North  
City, State, Zip: Royal Palm Beach, FL 33411

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## COMMENT FORM

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

All presented alternatives are unacceptable.

We need a "no action" alternative

I enjoyed 'Outdoor Woman' & Corbett

Keep substation out.

Do not break up natural areas.

No Scripps & Mecca

Sierra Club

An EIS is definitely NEEDED.

Attach additional sheets if needed

Name: D.E. BROWN

Address: 232 Sussex L

City, State, Zip: WPB FL 33417

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

Alternative 1B would be my choice

The plan with the least amount of impact on both the Corbett and the surrounding home owners

Public input should be recorded verbally.

Attach additional sheets if needed

Name: SHARP  
Address: 4300 127 TR N  
City, State, Zip: R.P.B. 33411

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

TO WHOM IT MAY CONCERN;  
THANK YOU FOR THE OPEN HOUSE. ~~AND~~  
~~AT THIS TIME~~ AT THIS TIME I WOULD JUST LIKE  
TO MAKE A FEW COMMENTS FOR THE RECORD.  
1. CORBETT CANAL? UNKNOWN AND  
UNDESCRIBED AND YET IT WILL CONSUME  
THE LIONS SHARE OF SWAPPED LAND. THIS  
IS TO FACILITATE THE ROCK PIT WATER  
THEY NOPE TO PUSH BACK AND FORTH.  
CORBETT CANAL AND ROCK PIT  
WATER IT DOESN'T MAKE SENSE.  
ALTERNATIVE 1B IS NO GOOD.

WHY IS THE ALTERNATIVE OF KEEPING IT COMPLETELY  
CONTAINED ON MECCA NOT SHOWN.

MANY MAPS ARE OUTDATED AND HAVE OLD LINES  
OLD CONFIGURATIONS.

WHAT TYPE OF PRECEDENT DOES THIS SET?

Attach additional sheets if needed

Name: MICHAEL K CHRISTENSEN

Address: 13759 159TH ST N

City, State, Zip: JUPITER FL 33478

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.





# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

I am opposed to this Corbett trade off.  
Don't mess with the Wildlife Preserve.  
An FPLX substation has no business on a  
preserve. Give an inch they'll take a  
mile. It should revert back to the  
McArthur Foundation.

No! No!

You will never live this down!

Attach additional sheets if needed

Name: Sharon A. Waite  
Address: P.O. BOX 1364 / 15055 75th Ln. No.  
City, State, Zip: LOX. FL. 33470.

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

Pg 1 of 3

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

The environmental assessment stated a low occurrence of a variety of species. As a 6 year resident on the J.W. Corbett Wildlife Management Area I can assure you the species listed were seen quite often on both the Corbett property and Mecca Farm property. I am appalled that a Biologist would state a low occurrence of alligators in a wetland area. Alligators ~~were~~ constantly would be seen crossing the Seminole Pratt Whitney ~~road~~ Rd between these two properties. ~~The~~ I traveled that road a minimum of two times a day and would see wildlife (a variety of species) on a daily basis again on both properties. Widening Seminole Pratt Whitney to a six lane highway will definitely ~~make~~ have an impact on the wildlife!

Attach additional sheets if needed

Name: Janice Ferber

Address: 2021 Shomg Drive

City, State, Zip: Royal Palm Beach, FL 33414

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

pg 2 of 3

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

South Florida is dependent on wetland area to replenish our ~~surface~~ groundwater supply. Your current road proposals would run 2 major highways through or along 3 environmentally sensitive wetland areas. The run-off from these roadways will impact the quality of water for the residents of West Palm Beach. The Scripps development is not just impacting the Loxahatchee area but will eventually impact all of South Florida. The increase in vehicles, industry and population of people in this area will negatively impact the entire area.

Attach additional sheets if needed

Name:

Janice Terber

Address:

2021 Shoma Drive

City, State, Zip:

Royal Palm Beach, FL 33414

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

Pg 3 of 3

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

How will the Minkin property be managed? The area will need a burn plan; however, it is bordered on the east by SR 710, the west by Powerlines and the south Pratt Whitney. It will be virtually impossible to get a wind direction suitable to manage this property effectively.

Overall, I am amazed that the US Fish and Wildlife would put this document before the Public. I would be embarrassed to be associated with so much garbage - miss information. Putting Scripps on the Mecca Property would be an environmental disaster for South Florida!!

Attach additional sheets if needed

Name: Janice Kerber  
Address: 2021 Skana Drive  
City, State, Zip: RPB, FL 33414

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



Penny Riccio  
Treasurer

Indian Trail Improvement District  
Board of Commissioners

13476 - 61st Street North  
West Palm Beach, FL 33412-1915

Home: 561-792-1186  
Office: 561-793-0874  
Fax: 561-793-3716  
E-mail: priccio@indiantrail.com

# Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

*FPL Substation*  
*THIS IS AN INAPPROPRIATE USE for <sup>Cosbets</sup> land*

*That has been set aside for 30 to 40 years as environmental conservation and management. ~~to~~ do this would be solely to accommodate BIG BUSINESS, and their political allies within Palm Beach County.*

Name: *PENNY RICCIO* *BOARD MEMBER* Attach additional sheets if needed  
Address: *13476 61ST STREET NORTH*  
City, State, Zip: *WEST PALM BEACH FLORIDA 33412*

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

Page 1 of 2

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

First: The environmental assesment provided by the US Fish + Wildlife Service has many inaccuracies.

- The wildlife survey is wrong. There are many species of wildlife present on the proposed substation site including alligators, sand hill cranes, snail kites, bobcat, wading birds deer, amphibians.
- There are other sites available and better suited for the Scripps project
- The proposed electric substation creates significant impacts to surrounding wildlife including the lack of proper land management as controlled burns become difficult or impossible under ~~an~~ a major electric substation.
- Taking wildlife area for road expansion creates many negative impacts

Attach additional sheets if needed

Name: Maria Wise

Address: 14086 E. Stallion Dr.

City, State, Zip: Loxahatchee, FL 33470

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

Page 2 of 2

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

including noise, water run-off  
contamination, wildlife road hazards  
and ~~can~~ restricts the ability to hunt  
on surrounding lands due to restrictions  
on firing guns within proximity to  
roadways.

- currently NO ROAD EXISTS.  
There is a 60 foot easement

It is not in the public interest to  
take lands that are in wildlife preservation  
to aid the commercial development next  
door.

This evaluation treats the proposed electric  
sub station site as an isolated island instead of  
part of a larger ecosystem and that approach  
is also poor policy and bad science.

I demand the Service conduct an Environmental Impact  
Statement. ~~I do not support~~ I oppose Attach additional sheets if needed  
the taking of any J.W. Corbett Land for an electric  
substation or to aid development.

Name: Mariz Wise

Address: 16086 E. Stallion Dr.

City, State, Zip: Hoxahatchee, FL 33470

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

It is a shame to see the Scripps project causing all these impacts on Corbett. While other land is being offered to lessen the impact of the 30-acre loss and the land would indeed be a net gain to Corbett, I hope that this is not the beginning of nibbling away at public lands.

Attach additional sheets if needed

Name:

D. Evans

Address:

12307 Old Country Rd.

City, State, Zip:

Wellington, FL 33414

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.





# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

I object to any comprehensive land use change in the Corbett Wildlife area. When land is purchased with public funds to be preserved for wildlife and the public good it should remain in the state, promised. Putting additional power lines &/or substations are contradictory to the purpose of wildlife management.

Precedent setting is a concern. If you lop off a corner of the Corbett now, in the future other incursions are more likely.

Before such a momentous decision is made, an Environmental Impact Study should be completed. Acquiring the Minkins property appears to be a positive step, but it should not be done at the expense of Corbett or to accommodate massive development that will negatively impact the whole eastern edge of Corbett.

Alternative sites are available for the Scripps development. By accommodating the development of the Mecca property, F.W. encourages massive ~~dev~~ impacts to their borders.

Attach additional sheets if needed

Name: Kay Gates, Sierra Club Oaxahatchee Group  
Address: 9693 El Clair Ranch Rd  
City, State, Zip: Boynton Beach, FL 33437

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

- 1) There is no way that this proposal will unlikely have a significant impact on the Environment + therefore there must be AN EIS prepared.
  - 2) A comprehensive presentation of both the negative + positive impacts would have better explained all the Alternatives
  - 3) We must not have a Comp land Use Change which will forever destroy the intent of preserving open space & wetlands in the Western Tier.
  - 4) The CW Mngment should increase its ownership of ESL by Acquiring the Minkin Property — However this should not be done in exchange for the Scripps development of Mecca which will be intrusive in every aspect
  - 5) My concern is if the substation is required (?) if the Mecca site is not developed as a Bio Res Park but reverts to its original land use designation which allows 1 in 10 acres — Corb. Wildlife Mngment should in fact do everything possible to prevent the development of a Major city adjacent to your property
- Name: Sheila Calderon  
Address: 2807 Waters Edge Cir  
City, State, Zip: Green Acres 33413

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



<corbett.feedback@fws.gov>

02/10/2005 10:55 AM

To <jtierney@co.palm-beach.fl.us>,  
<vickie\_scott@urscorp.com>,  
<chris\_macey@urscorp.com>,

cc

bcc

Subject Corbett web site feedback

Name	Lisa R. Haas
Address	16260 94th St. No.
City, State, Zip	Loxahatchee, Florida 33470
Email Address	fordlady4103@yahoo.com

Comments:

My ultimate concern is for preserved state land being used as mitigation or being rezoned. The land use change being considered is totally unacceptable. No local government, developer, or private entity should have any right to rezone preserved land for any reason, especially development! If a land use change is allowed on state lands, this opens the flood gate for development of all kinds. These are preserved lands for wildlife habitat and in no way should be considered for power plants, housing development, or any other county change! PALM BEACH COUNTY SHOULD NOT BE IN THE DEVELOPMENT ARENA! At this time, it looks like Scripps will go to an alternate site, not Mecca. In this case, NO land use change needs to be considered for JW Corbett Wildlife Management Area. If it does go on Mecca, I will continue my charge of NO LAND USE CHANGE FOR ANY PART OF STATE LANDS AND NO MITIGATION! Put the substation ON MECCA!



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

AFTER STUDYING THE EA STATEMENT, IT APPEARS CLEAR TO ME THAT, DESPITE THOROUGH STUDIES OF IMPACT ON THE CORBETT AND SURROUNDING AREA, NO LAND TRANSFER IS JUSTIFIABLE.

THE MINKIN PROPERTY, WHILE CERTAINLY SEEMING WORTHY OF PROTECTION/PRESERVATION, IS SIMPLY NOT IN PALM BEACH COUNTY. IT SETS AN AWFUL PRECEDENT FOR THE CONTINUED WESTWARD EXPANSION OF DEVELOPMENT IN NW PALM BEACH COUNTY, LEAVING FOOT PRINTS INTO THE CORBETT AREA. WHITTILING AWAY AT IT WITH ROADS AND UTILITIES.

HERE IN SOUTH FLORIDA WILDLANDS ARE IN SHORT SUPPLY, WE ARE IN WHAT ECOLOGIST NORMAN MYER CALLS A 'HOTSPOT' in ecological sensitivity IN FACT, ONE OF THE TOP 3 GLOBALLY! (encompassing South FL and the Caribbean). THIS STATUS IS BASED ON ASSESSING THE UNIQUENESS OF A REGION ~~WILDLANDS~~ (MEANING ITS HIGH LEVELS OF VASCULAR BIODIVERSITY) ALONG WITH ITS HIGH THREAT OF DESTRUCTION. AREAS LIKE THIS ARE PART OF THE RECENTLY MAPPED GLOBAL NETWORK OF PLACES NEEDED TO HOLD ON TO OUR PLANET'S BIODIVERSITY AND CONTINUED EVOLUTION. I FOUND THIS INFORMATION NOWHERE IN THE EA STATEMENT. I WAS IMPRESSED TO SEE THE SECTION 4.2.6, REGARDING 'ENVIRONMENTAL JUSTICE'. CONSIDERING THE IMPACT ON LOCAL POPULATIONS IS CLEARLY OF EXTREME IMPORTANCE, AND IS A LONG OVERDUE PART OF THIS PROCESS. NOW IT IS ALSO TIME TO INCORPORATE THE GLOBAL IMPACT OF PROJECTS SUCH AS THIS. Attach additional sheets if needed

Name: PANAGIOTI TSOLKAS

Address: P O Box 961

City, State, Zip: LAKE WORTH, FL 33460

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.



<corbett.feedback@fw  
s.gov>

02/07/2005 05:59 PM

To: <jtierney@co.palm-beach.fl.us>, <vickie\_scott@urscorp.com>,  
<chris\_macey@urscorp.com>, <shirley\_stark@urscorp.com>,  
<christine\_willis@fws.gov>, <jeffrey\_m\_fleming@fws.gov>,  
cc:  
Subject: Corbett web site feedback

Name	Arnie Heise
Address	1300 sw 19 th ave
City, State, Zip	fort lauderdale fl33312
Email Address	judinarn@bellsouth.net

Comments:

any land bought with money from pittmen-robertsons fund money should not be sold or traded to any big business for any reason as far as I see they say nothing about how much more land will be lost to hunting due to a buffer zone which they will need to keep bullets from the homes



<corbett.feedback@fw  
s.gov>

02/03/2005 10:30 PM

To: <jtierney@co.palm-beach.fl.us>, <vickie\_scott@urscorp.com>,  
<chris\_macey@urscorp.com>, <shirley\_stark@urscorp.com>,  
<christine\_willis@fws.gov>, <jeffrey\_m\_fleming@fws.gov>,  
cc:  
Subject: Corbett web site feedback

Name	joe pasint
Address	3781 sw 32 ct
City, State, Zip	w. hollywood, Fl 33023
Email Address	evergladesgator@bellsouth.net
	Comments:

JWCorbett was purchased with Pitt-Robertson hard earned funds for wildlife restoration and should not be traded for any reason especially BIG BUSINESS. Thirty acres now, how many later. IF Scripps does go through, how large of a buffer zone will be mandated to stop the bullets from hitting the planned community ? Stop Scripps NOW. NO TRADE!!!! Let them go to ORLANDO. thank you Joe Pasint



<corbett.feedback@fws.gov>

02/03/2005 09:17 PM

To: <jtierney@co.palm-beach.fl.us>, <vickie\_scott@urscorp.com>, <chris\_macey@urscorp.com>, <shirley\_stark@urscorp.com>, <christine\_willis@fws.gov>, <jeffrey\_m\_fleming@fws.gov>

cc:

Subject: Corbett web site feedback

Name	lyda bell
Address	225 33 ct.
City, State, Zip	west palm beach, fl 33407
Email Address	tonynat@bellsouth.net

Comments:

take your scripps and other ideas someplace where you dont have to disturb others. thers plenty of unused land towards belle glade that isnt surroundad by natural wetlands. once this happens, there wont be an end. 10 years from now you'll say its to small and you have to make it bigger, so why not take it someplace far away, where it doset bother anyones homes, outdoor enjoyment, and the endajored animals that live nearby.



<corbett.feedback@fw  
s.gov>

02/03/2005 09:02 PM

To: <jtierney@co.palm-beach.fl.us>, <vickie\_scott@urscorp.com>,  
<chris\_macey@urscorp.com>, <shirley\_stark@urscorp.com>,  
<christine\_willis@fws.gov>, <jeffrey\_m\_fleming@fws.gov>,  
cc:  
Subject: Corbett web site feedback

Name	tonya timm
Address	3803 42 ave s.
City, State, Zip	lake worth, fl 33461
Email Address	tonynat@bellsouth.net

Comments:

I hunt, camp, fish, and hike Corbett area all year. I am involved in youth camp activities, and I take my family there when they come to visit. I think the whole Scripts thing is going to be horrible for the fun and enjoyment of myself and other sportsmen in the area. weather or not you take land from Corbet and give land in another area doesn't make a difference. the land you want to give is mostly what we call buggy land, it's mostly swamp land. the road that you want to build is ridiculous, there needs to be at least one place in palm beach county that isn't under construction. Corbett area is one of the last natural habitats for wild animals in palm beach county. if Scripts builds as planned, the disturbance that is caused from all the new traffic will not be healthy for animals and it will drive them away from the area surrounding that area. personally I think Scripts should stay out of palm beach ! county, along with all the other construction and destruction on that land. PLEASE LEAVE CORBETT AREA ALONE!!!!





<corbett.feedback@fw  
s.gov>

01/11/2005 09:10 PM

To: <jtierney@co.palm-beach.fl.us>, <vickie\_scott@URSCORP.com>,  
<chris\_macey@URSCORP.com>, <shirley\_stark@URSCORP.com>  
<kevin\_moody@fws.gov>, <jeffrey\_m\_fleming@fws.gov>,  
cc:

Subject: Corbett web site feedback

Name	jeff hoppe
Address	9468 banyan blvd.
City, State, Zip	loxahatchee,fl
Email Address	lotsasnatchee@aol.com

Comments:

I live within 500 yards (approx.) of the proposed substation. I am not against growth and progress but this is just a bad idea and a bad location. With 2000+ acres at the mecca site I'm sure they can find 30 acres for "their" power plant in their backyard instead of mine and my neighbors. Furthermore, I wish to know why the county, scripps, and gov. bush are so intent on putting scripps at mecca? When other more viable sites are practically begging for scripps' business? I.E. research park, what is going on behind the scenes you all are not telling us? What sense does it make to waste millions of tax dollars on infrastructure, sewers, roads that don't exist at mecca when they are already available at other sites. You question the amount of space needed at other sites, well make the space! Just like you say you will make space by removing 20 homeowners for roads. What is the problem with building up in thi! s state? That is just ignorant and wrong. Pick the most feasible location to benefit the taxpayers and homeowners, not the county, scripps and gov. bush. To the county and gov. bush, Just remember that the taxpaying voter will have the last say. Obviously this is not your backyard. Also what is the purpose of having a wildlife preserve if your not going to preserve it?

Message originally submitted 1/8/2005 10:02 AM



"John Tierney"  
<Jtierney@co.palm-beach.fl.us>

02/10/2005 10:33 AM

To: <Vickie\_Scott@urscorp.com>  
cc:  
Subject: Fwd: Corbett web site feedback

Vickie,

Attached is the email from 1/17/05.

Thanks,

John Tierney  
Senior Environmental Analyst  
PBC Facilities Compliance  
3200 Belvedere Road, Bldg. 1169  
West Palm Beach, FL 33406  
Phone No. 233-0252

E-mail: [jtierney@co.palm-beach.fl.us](mailto:jtierney@co.palm-beach.fl.us)

----- Message from <corbett.feedback@fws.gov> on Mon, 17 Jan 2005 16:10:04 -0700 -----

<jtierney@co.palm-beach.fl.us>, <vickie\_scott@urscorp.com>,

To: <chris\_macey@urscorp.com>, <shirley\_stark@urscorp.com>, <kevin\_moody@fws.gov>,  
<jeffrey\_m\_fleming@fws.gov>, <mike\_piccirilli@fws.gov>

Subj  
ect: Corbett web site feedback

Name	Connie Vanassche
Address	13706 46 Court North
City, State, Zip	The Acreage, FL 33411-8427
Email Address	ccvski@aol.com

Comments:

I would like to see FWC turn down The County's request for the easements. Mitigating to another County does not help ecological balance in Palm Beach County. Scripps should not be built on the Mecca Site. I support and agree with Senator Aronberg in pursuing the other 2 sites. Thank you for the opportunity to provide comment.

Vickie Scott/Tampa/URSCorp

To Maria Cipriano/Tampa/URSCorp@URSCORP

05/09/2005 06:17 PM

cc

bcc

Subject Fw: Corbett web site feedback

#22

*Vickie A. Scott, AICP*  
Senior Transportation Planner  
URS CORPORATION SOUTHERN  
7650 West Courtney Campbell Causeway  
Tampa, Florida 33607-1462  
Phone: 813.286.1711 ext. 6546  
Direct Line: 813.675.6546  
Fax: 813.286.6587

----- Forwarded by Vickie Scott/Tampa/URSCorp on 05/09/2005 06:18 PM -----



<corbett.feedback@fws.gov>

02/14/2005 05:37 PM

To <jtierney@co.palm-beach.fl.us>,  
<vickie\_scott@URSCORP.COM>,  
<chris\_macey@URSCORP.COM>,  
<shirley\_stark@URSCORP.COM>,  
<christine\_willis@fws.gov>, <jeffrey\_m\_fleming@fws.gov>,  
<mike\_piccirilli@fws.gov>, <thomas\_mccoy@fws.gov>,  
<june\_deweese@fws.gov>, <mary\_m\_powell@fws.gov>

cc

Subject Corbett web site feedback

Name	Patricia Curry
Address	12390 59 Street North
City, State, Zip	Royal Palm Beach (The Acreage), FL 33411
Email Address	GremlinLtd@aol.com
Comments:	

I believe that this easement access should be denied. It set a bad precedent allowing public roads and power substations to be built on lands dedicated for conservation. Further, the overall Bio-Tech Park on land adjoining the conservation area should be considered as to impact on wildlife and natural areas, rather than just the 30 or so acres under review for permitting. Your agency should object to the entire project!



# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## COMMENT FORM

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

My ultimate concern is for preserved, state land being used as mitigation, rezoning or anything else that would allow this county to change a land use for the J.W. Corbett Wildlife Preserve.

No local government, private entity or individual should have any right to rezone preserved land for any reason, and especially development!

This opens the door on future land use changes on State land. As we have seen in the past, if a land use change commences on any property in PBC, it opens a flood gate for development of all kinds.

This particular change is the ultimate shame of PBCounty.

Attach additional sheets if needed

Name: LISA R. HAAS  
Address: 16260 94TH ST No.  
City, State, Zip: LOXAHATCHEE, FL. 33470

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.

Vickie  
Scott/Tampa/URSCorp  
05/09/2005 06:13 PM

To Maria Cipriano/Tampa/URSCorp@URSCORP  
cc  
bcc  
Subject Fw: Comment

Maria, #24 attached. It is an email in an email.

*Vickie A. Scott, AICP*  
Senior Transportation Planner  
URS CORPORATION SOUTHERN  
7650 West Courtney Campbell Causeway  
Tampa, Florida 33607-1462  
Phone: 813.286.1711 ext. 6546  
Direct Line: 813.675.6548  
Fax: 813.286.6587

----- Forwarded by Vickie Scott/Tampa/URSCorp on 05/09/2005 06:14 PM -----



Christine\_Willis@fws.gov  
02/17/2005 03:53 PM

To Vickie\_Scott@urscorp.com, Chris\_Macey@urscorp.com,  
Erin\_Degutis@urscorp.com, "John Tierney"  
<jtierney@co.palm-beach.fl.us>,  
Lisa\_Heimburg@urscorp.com, Mark\_Easley@urscorp.com,  
Martin\_Peate@urscorp.com, Mike\_Dinardo@urscorp.com,  
Mike\_Piccirilli@fws.gov, Robert\_Johnson@urscorp.com,  
Shari\_Brewer@fws.gov, Wmundell@co.palm-beach.fl.us

cc

Subject Comment

Vicki,  
We received another hard copy letter which we hope to scan and send to you tomorrow and we received this by error on our general Southeast Web site but I think since we have a record of it we should include it in our comments.

Thanks

Christine Willis  
Supervisor Fish and Wildlife Biologist  
1875 Century Boulevard  
Suite 240  
Atlanta, Georgia 30345  
phone: (404) 679-7310  
fax: (404) 679-4160

----- Forwarded by Christine Willis/R4/FWS/DOI on 02/17/2005 03:51 PM -----

GremlinLtd@aol.co  
m

02/17/2005 03:47  
PM

To  
christine\_willis@fws.gov  
cc

Subject  
Fwd: EA for J.W.Corbett land swap

----- Message from Scrippssucks@aol.com on Mon, 14 Feb 2005 23:11:01 EST  
-----

To: southeast@fws.gov

cc: GremlinLtd@aol.com, daniellarson@earthlink.net

Subject: EA for J.W.Corbett land swap

To Whom it may concern,

I am writing to address my concerns with the issue of the proposed land swap located at J.W.Corbett Wildlife Management Area in Palm Beach County. First let me be perfectly clear this is opening a Pandora's Box which is setting a precedent and a footprint for future mitigation issues that I feel some county officials will take advantage of in the future. There are secondary and cumulative impacts which are not even being addressed. There are some very savvy developers waiting in the wings in close proximity who want to create cities in an area that was not meant to be developed in such a manner. Mecca was to be 1 home per 10 acres and no more now PB County is saying lets build a city the size of West Palm Beach (57 sq. miles) in Mecca (3 sq. miles) I'm talking square footage. And the funny thing is Richard Lerner (Scripps President) says that the scientists don't want to live in a science ghetto (see palm beach post) so if the housing is not needed I say don't let them build. Also there is a large hunting community that will have to be severely hindered because no one in this new city will want to be endangered by the flying bullets. Some others problems are that Unit 11 was taken for environmental purposes and the adjacent Vavrus Property to the East is 70% wetlands if anything the Mecca site should be used as a reservoir as originally intended. As far as a FPL substation I am sure with all the geniuses working on this project there has got to be a way to place this on the Mecca site and not touch the Corbett or any houses located on Seminole Pratt by placing all cables underground. Even in your EA they say as much. So I suggest you seriously consider this in your review because the Minkin property is in Martin County. And the CORBETT WAS NOT TO EVER HAVE ANYTHING OF THIS NATURE BUILT ON IT WHEN IT WAS PURCHASED WAY BACK WHEN this totally goes against the lease agreement and I think you are well aware of this and you should be ashamed to even try to facilitate this swap. There are some other issues you should look at I will bullet them to make it easy.

1. The Scripps elevation is 23 feet and discharge unlimited. This was in South Florida Water Management District memo Jan. 12, 2005 and was voted on by the board (Where will the water runoff go?) CORBETT !!!

YOU NEED TO DO A FULL EIS ON THIS !!!

2. Scripps will need 88,000 gallons of water per day this is just Scripps 545 employees. What about the so called spinoffs that are planned the mighty Jeb our gov. is saying there will be 8 million sq.ft. of research & development Scripps is only 345,000 sq.ft. imagine how much water these suckers will need you do the math.

YOU NEED TO DO A FULL EIS ON THIS!!!

3. Scripps will be working on some pretty nasty stuff one thing is prions I personally have questioned this one even Department of Health isn't quite clear on the safety precautions on this. START ASKING QUESTIONS ABOUT YOUR PROPOSED NEIGHBOR???

Thank you

Alexandria

Larson





# J.W. Corbett Wildlife Management Area Environmental Assessment

February 2, 2005

## Comment Form

We encourage you to provide your comments and opinions on this project so that we may consider them in the study process.

While our organization prefers not to have wild land encroached upon, especially for development purposes, we also respect the rights of those people who own the homes that would need to be removed for an alternate plan. We therefore support the 2 to 1 mitigation swap for the 60 acres\* (preferably 80 acres) in the NW corner of the Corbett area.

We have a continuing concern about this setting a precedent and future requests for "safety zones," etc. We will not look as favorably upon such mitigation if in the future the county, or any other group, comes back to the well.

\* originally when presented by Palm Beach County to the Fish & Wildlife Commission at their bi-monthly meeting at Marco Island in December 2004, the acreage that was proposed to be swapped was 80 acres and not 60 acres

Attach additional sheets if needed

Name: Florida Sportsmen's Conservation - Attention Byron Maharrey  
Address: 329 Emerson Circle  
City, State, Zip: Palm Springs, FL 33461

Note: Please complete and place in the "Comments" box tonight or mail to Mike Piccirilli at the address on the back of this Comment Form, by February 14, 2005. All comments are part of the official record and are available for viewing by the public and the media.

Vickie Scott/Tampa/URSCorp

To Maria Cipriano/Tampa/URSCorp@URSCORP

05/09/2005 06:18 PM

cc

bcc

Subject Fw: Corbett web site feedback

And finally, #26.

*Vickie A. Scott, AICP*  
Senior Transportation Planner  
URS CORPORATION SOUTHERN  
7650 West Courtney Campbell Causeway  
Tampa, Florida 33607-1462  
Phone: 813.288.1711 ext. 6546  
Direct Line: 813.675.6546  
Fax: 813.286.6587

----- Forwarded by Vickie Scott/Tampa/URSCorp on 05/09/2005 06:19 PM -----



<corbett.feedback@fws.gov>

02/13/2005 08:01 PM

To <jtierney@co.palm-beach.fl.us>,  
<vickie\_scott@urscorp.com>, <chris\_macey@urscorp.com>,  
<shirley\_stark@urscorp.com>, <christine\_willis@fws.gov>,  
<jeffrey\_m\_fleming@fws.gov>, <mike\_piccirilli@fws.gov>,  
<thomas\_mccoy@fws.gov>, <june\_deweese@fws.gov>,  
<mary\_m\_powell@fws.gov>

cc

Subject Corbett web site feedback

Name	James Schuette
Address	8535 Northlake Blvd
City, State, Zip	West Palm Beach, fl 33412
Email Address	james.schuette@myfwc.com
	Comments:

Mike Piccirilli Chief Division of Federal Assistance US Fish & Wildlife Service 1875 Century Boulevard, Suite 240 Atlanta, GA 30345 JWCorbettPublicComment@fws.gov February 13, 2005 Chief Piccirilli- Thank-you for the opportunity to comment on the January, 2005 draft of the EA for the JW Corbett WMA proposed land transfer, Palm Beach and Martin Counties, Florida. As the Biological Administrator I overseeing the JW Corbett WMA for the FWC, the following table outlines some of my comments designed to assist you in developing a more complete and accurate document. Given the short turn-around time for these comments, what is presented here has not been approved by, nor does it necessarily represent the opinion of, the FWC. These comments do not address advance notification, cultural resources, ecological assessment, contamination screening, or cumulative effects. Because many of the comments provided here are also appropriate for the ecological assessment, I did not repeat them, but would be available to discuss that section if it would be of benefit. On Monday, February 14, my supervisor, Steve Coughlin, and I will be developing comments on the cumulative effects appendix and we hope to have those comments to you soon thereafter. However, I wanted to



make sure you had as many comments as possible before your February 14 deadline. I attempted to get these comments to you from my work e-mail address (James.Schuette@myfwc.com), but that system was down, so this correspondence is from my personal e-mail account. I hope you find these comments useful, and would look forward to working with your agency to develop a document that accurately addresses the management issues on the JW Corbett WMA, and explores other potential alternatives that may better address these concerns, particularly in regards to the sizing of any canals or placement of the FPL structures. Again, thank-you for providing the opportunity to have input into this process. James R. Schuette Biological Administrator I 8535 Northlake Blvd West Palm Beach, FL 33470 (561) 624-6989 Section@

paragraph Page Comment 1.1@2,3 1-1 If this analysis is to "consider the potential direct, indirect, and cumulative impacts associated with the proposed change in use of the JWCWMA lands," no decision should be made without considering the impacts of the entire biotechnical research park and supporting land development issues, especially if the "purpose is to maintain and enhance the ecological integrity and wildlife-related values of the JWCWMA". 1.2@2 1-2 The County has yet to determine if this is the only potential site, and other entities would argue that is not a valid site, while there are other sites, some within Palm Beach County, that could house this development. Regardless, is lack of other sites justification for development of conservation lands? 1.2@4 1-2 It has not been shown how development enhances surrounding environmentally-sensitive lands, especially the JWCWMA. 1.2@5 1-2 Please include documentation of "concurrence from FWC". 1-2@6 1-3 As a member of NPBC-CERP-PDT, I am unaware of any conclusions on the need for or design/sizing/purpose of a "flow way". It is an option under consideration. Another is making a reservoir on Mecca and restoring the Vavrus property to recreate the historic Hungryland Slough. I suggest you ask FWS representatives on CERP if they are aware of any decision made in this regard. 2.2.1.1@1 2-2 "A holistic analysis instead of piece-mealing easement requests" would support looking at this decision at the same time as the entire development. 2.2.1.2 2-3 I am unaware of any decision made as to the appropriateness of extending Pratt-Whitney due north, where it would bisect two natural areas. In past meetings on this issue, FWS supported placing this road extension on the C-18 right-of-way (where limited destruction of wetlands and potential RCW habitat would occur, and there exists a railroad crossing), and alternative analysis tends to support that location. 2.2.2.1@1 2-3 Again, I am unaware of any CERP decision on the sizing of the 150-foot canal. The trail that would be built already exists, as does the trail-head. 2.2.2.2@1 4.2.2@3 2-3 4-5 Owners of the 5 homes along the JWCWMA boundary have indicated they might be willing sellers given they would otherwise have a 6-lane highway built in their front yard separating them from the reason they bought their property. This presents an alternative to eminent domain or wetland destruction, and may be more cost-effective. 3.2.3@3 4.3.3@1 3-4 4-10 The 0.25-mile buffer only prohibits rifles, not hunting (archery, muzzleloaders, shotguns, pistols, dogs, etc. are legal in the buffer area). Table 3-2 3-7,8 Where do these numbers come from? Shouldn't they take into account if the wetlands are currently protected or not from development? Wetlands for 2B, 3B & 4B have exotics on unprotected lands. Table 3-7 3-21 Lack of documentation is not a good indicator of low potential for occurrence. FWC has only one species list for JWCWMA, not one for every square mile. From the list used in this table, I propose that there is a high probability for 21 species, medium for 1 and low for 9 species. There are many other State and Federally listed species with potential for being on these sites. Why was this subset chosen as the species of interest? 3.4.5.2@FLUCFCS: 189 3-19 Lands severely impacted by ORV's in this location are

found directly under the existing FPL lines. 3.4.5.3@4 3-20 The cluster of rcw's on JWCWMA closest to Parcel A have been documented to travel more than one mile during their initial morning foraging flights; 0.75 miles is not "well outside the typical home territory of this cluster". 3.4.5.3@6 3-23 These surveys were influenced by the prior removal of the citrus trees on Mecca. 3.4.5.3@7 3-23 Numerous migratory warblers should have been observed along this corridor during these observation times. 3.4.5.3@7 3-23 If this were a Christmas bird count sampling area, would that make it more biologically significant? 3.4.5.3@8 3-23 This has been a site extensively treated for exotic plants. They are relatively rare on the JWCWMA site. I did not see where the Minkin property was guaranteed to be as clean. 3.4.5.3@10 3-24 These effects are a condition of the border of a natural area. If the JWCWMA site is developed, the edge effect will not disappear, they will only be moved further inside the area, in effect impacting higher-quality wetlands. Table 4-1 4-3 How is potential for controversy determined, and is it in relation to how this project maintains and enhances the ecological integrity and wildlife-related values of the JWCWMA? 4.2.1@4 4.2.8@3 4-4 4-9 The "recreational trail" is a canal maintenance levee, there already is a "trail head", and the impacts to the Loxahatchee have not been determined. 4.3.3@5 4-10 When is the County planning to eliminate historical access to JWCWMA's south entrance? 4.3.4@1 4-11 Building a 6-lane road and a 150-foot canal might be considered a negative visual impact. 4.4.1@1 4-12 Noise is not an issue in a natural area? 4.4.4.1@2 4-16 The previously-listed superfund site at P&W/UTC has been recently documented as contaminating the ground-water supply with 1,4 dioxane that extends off-site, along with documented hazardous waste barrels laying on their sides in inundated wetlands. although this site is separated from Parcel A by the Pratt canal that feeds into the C-18, there is potential for ground-water contaminations. 4.5.3.2@1 4-27 Again, I am unaware that CERP has selected alternatives, or reached conclusions as to what the best plan is. 4.5.7.2@6 4-32 It is unclear what the last sentence means. 4.5.7.2@7 4-32 Some of the damage here is the result of illegal filling of JW Corbett property from the improvements done to Seminole-Pratt Whitney Road by Mecca-Ryan when they developed the rock mine 5 years ago, as the foot of the road encroaches on these State-owned wetlands. 4.5.7.2@7 4-32 Fire management of the Parcel B is much easier than the Minkin property would be. Parcel B can be burned on a southeast wind aerially, or south and west wind for ground burns. For the Minkin Property, that segment of 710 is identified as smoke sensitive by DOF, preventing burning under any south- or west-component winds. The power lines make burning under north- or east- components difficult, and P&W/UTC makes northwest winds problematic. Logistic difficulties of accessing the site have prevented prescribed burns on the adjacent property for more than 2 decades. 4.5.7.3@7 4-35 This implies that the Minkin property is being "created" and nothing is being developed. The "mitigation" that is being discussed is only changing the jurisdiction of a wetland from private to public. The impacts to the parcels being taken is development. this may or may not be "negligible" to the wildlife. Also, the Minkin property does not provide a 2-for-1 replacement for the pine flatwoods that will be taken from a critical population of RCW's. 4.5.7.3@7 4-35 In light of existing plans by various agencies to purchase the entire 3,000-acre "pal-mar connector", including the entire Minkin property, as well as the White property and the parcel to the west, the benefits of acquiring these 60 acres at this time are less clear. Figure 4-4 4-35b How will the northern boundary be delineated? If it is to be a fence, what are the impacts of this fence to the habitat? 4.6@4 4-38 This line of reasoning might be used to justify developing all of JWCWMA.



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
4400 PGA Boulevard, Suite 500  
Palm Beach Gardens, Florida 33410

REPLY TO  
ATTENTION OF

FEB 24 2005

Palm Beach Gardens Regulatory Office

Mike Piccirilli, Chief  
Division of Federal Assistance  
US Fish and Wildlife Service  
1875 Century Boulevard, Suite 240  
Atlanta, GA 30345

Re: Environmental Assessment for the J.W. Corbett Wildlife  
Management Area Proposed Land Transfer dated January 2005

Dear Mr. Piccirille:

Reference is made to your submittal dated January 7, 2005 in which you requested comments and recommendation on the analysis and related decision in the Environmental Assessment (EA) for the J.W. Corbett Wildlife Management Area Proposed Land Transfer. The J.W. Corbett Wildlife Management Area (JWCWMA) is located in western Palm Beach County, Florida. The U.S. Army Corps of Engineers (Corps), Palm Beach Gardens Regulatory office has reviewed the submittal and has provided the following comments.

**General Comments:**

This EA should further describe and evaluate cumulative effects of the land transfers to determine if the action could support a Finding of No Significant Impact (FONSI) or if an Environmental Impacts Statement (EIS) is warranted. The direct impacts of the land transfer are well documented in the EA, all of which could be mitigated in a FONSI. However, the direct, indirect and the cumulative effects of the land transfer would be the determining factor if the action is determined to be insignificant or if indeed an EIS is warranted.

If the land transfer occurred and Seminole-Pratt Whitney Road is connected to the Beeline Highway and a new power substation is constructed, future development would occur in the area at a much faster rate than a No Action Alternative. The Mecca Farms parcel and the Vavrus Ranch would become developable, and additional road would need to be constructed to access the future additional development. The Corps evaluated the proposal to construct a 535-acre biotechnology research park independently from the remaining future development on the 1,919-acre Mecca Farms site,

as well as any future planned development in the nearby area because the biotechnology research park has independent utility from any future development. The Corps' definition of independent utility is "a test to determine what constitutes a single and complete project. The Corps believes that the land trade to facilitate a transportation corridor and a power source does not have independent utility from the remaining future development on the 1,919-acre Mecca Farms site, from the development on the Vavrus Ranch, and the construction of the future roads because the remaining development is dependent on access to the sites and a power source for its success. It is understood that any proposed future road construction or expansion, as well as any wetland impacts associated with the construction of a power substation will be evaluated once it is proposed. However, the construction of a power station and a road would lead to an increase in development and road construction in the area. These points should be included in the cumulative impacts analysis.

Alternative 2A evaluates the route for construction of Seminole-Pratt Whitney Road if the land trade were to not occur (the no-action alternative). The EA should discuss the no-action alternative of not participating in the land trade and the road not being constructed. If Seminole-Pratt Whitney Road is not constructed, would the Department of Transportation require an alternative route to access the Beeline Highway? In addition, another alternative should be evaluated for the land trade associated with the construction of the power supply. If the land trade were not to occur, the development on the Mecca Farms parcel could use the power source that currently exists in the Acreage. The Corps has evaluated the SCRIPPS facilities using the existing transmission lines located south of the Mecca Farms parcel (not along Seminole-Pratt Whitney Road). Residents in the Acreage currently use these existing power lines and corridor. This alternative would eliminate the need to acquire residential properties. The Corps intends to evaluate upgrading this existing power source as an alternative if indeed an application were submitted for our review. Thus, the Corps can comment on the alternative analysis you provided but believes there should be alternatives describing a no action alternative from not constructing Seminole-Pratt Whitney Road or by not constructing a power substation.

This EA should evaluate the benefits of acquiring the Minkin Parcel in relation to the Comprehensive Everglades Restoration Program (CERP), the ecology, and the risk of development and compare with the JWCWMA parcels. If the Minkin property is currently at risk of development, would the land trade just adjust the future encroachment locations from the north to the east of JWCWMA?

**Specific Comments:**

1. Page 1-1, Section 1.2 Background

*"In a letter dated August 2, 2004, the FWC asked the Service to review for approval the application from the County to the FWC requesting five easement areas on the JWCWMA."*

For clarity, please describe each easement area. The EA only discusses that a change in two easement areas would need to occur, which are on the 1.63-acre parcel of land and on the 28.37-acre parcel of land. The 60-acre parcel currently does not have development; therefore, no change in easement is expected.

2. Page 3-1, Section 3.1.1 Land Use

Please specify the land use of the Minkin Parcel since it is a component in each of the alternatives analysis.

3. Page 3-1, Section 3.1.1 Land Use

*"The JWCWMA is the predominate land use in the area."*

Please consider revising the statement. The predominate land use in the area is conservation, with the JWCWMA containing the single, largest land acreage placed under conservation.

4. Page 3-6, Paragraphs 4 and 5

The scope of the estimated wetland impacts is unclear in this discussion. For the 1.63-acre land trade associated with construction of Seminole Pratt Whitney Road to the Beeline Highway, do the wetland impact acreages reflect impacts along the entire length of the proposed road (i.e. along Mecca Farms, Unit 11, and surrounding Beeline Highway) or do they only reflect the wetland impacts associated with the immediate connection to Beeline? Figures 3-4 and 3-5 only show the wetland impacts associated with the immediate connection to Beeline Highway. If a Seminole-Pratt Whitney Road were to be widened and extended to the Beeline Highway, it may be relevant to determine the total wetland impacts along the entire road corridor.

5. Page 3-11, Section 3.4.2 Water Quality, paragraph 2

*"North of the C-18 Canal is the HSNA, also known as Unit 11, which has some wetlands."*

Please consider revising the statement. Unit 11, which contains numerous wetlands, is a Regional offsite mitigation area, which is in the process of being restored. In fact, the overall area contains environmentally sensitive lands.

6. Page 4-8, Section 4.2.8, Controversy Potential

The Corps believes that the change from preserved lands in this area to a transportation use or even for a power transmission use would have major controversy from governmental agencies, environmental groups as well as the public. Many adverse comments were received from members of the public, local agencies, as well as federal agencies in response to a proposal



to convert agricultural lands into commercial and residential development on the Mecca Farms parcel. It is feasible to assume a similar response.

7. Page 4-11, Section 4.3.4 Visual/Aesthetics

The Corps believes that each alternative that converts natural lands into developed lands, such as roads or power substations, will have a negative visual and aesthetic impact.

8. Page 4-12 Section 4.4.1 Noise

It would be feasible to state that the construction of roads would increase the traffic in the area, which could cause an increase in the amount of noise in the area. The surrounding lands are considered environmentally sensitive lands and contain numerous animal species, some of which are listed as threatened or endangered species by state and federal agencies. Are there any animal species that would be deterred from their normal routine as a result from an increase in the noise levels? The noise impacts associated with the addition of vehicles where there currently are none should be evaluated.

9. Page 4-19, Section 4.4.5 Navigation

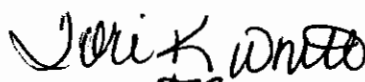
"There are no navigable waterways (as per the U.S. Coast Guard [USCG] and USACE criteria) within the project study area." Please define the project study area. The C-18 Canal, which is considered a navigable waterway, is located in the vicinity of the project.

10. Page 4-37, Section 4.6 Cumulative Effects

The cumulative impacts associated with the 1.63-acre land transfer should include the construction of Seminole Pratt Whitney Road and any potential construction that could happen in the reasonably foreseeable future. This could include further development on the 1,919-acre Mecca farms property, development on the Vavrus Ranch, or possibly an increase in the development rate on the Palm Beach Park of Commerce site located north of the intersection of Seminole-Pratt Whitney Road and the Beeline Highway.

Thank you for the opportunity to review and comment on the EA. If you have any questions, please contact Alisa Zarbo at the letterhead address, by telephone at 561-472-3514, or by email at [alisa.a.zarbo@saj02.usace.army.mil](mailto:alisa.a.zarbo@saj02.usace.army.mil).

Sincerely,



John F. Studt  
Chief, South Permits Branch



Mike Piccirilli, Chief  
Division of Federal Assistance  
US Fish and Wildlife Service  
1875 Century Boulevard, Suite 240  
Atlanta, GA 30345

February 14, 2005

**RE: J W Corbett Proposed Land Transfer**

Dear Mr. Piccirilli:

The following comments regarding the Environmental Assessment for the proposed land transfer within the J W Corbett Wildlife Management Area (Corbett) are submitted on behalf of 1000 Friends of Florida, the Florida Wildlife Federation, the National Wildlife Federation, the Environmental and Land Use Law Center and members of our respective organizations. We are concerned that the best interests of the public have not been addressed regarding the transfer.

Furthermore, we feel that the Environmental Assessment (EA) is inaccurate due to missing and incomplete information provided as a basis for allowing such a "swap". The authors repeatedly isolate the land swap from the larger development scenario that is being proposed adjacent to publicly held natural areas, thereby underestimating the indirect and cumulative effects the proposed action will have on Corbett. The National Environmental Policy Act (NEPA) requires the U.S. Fish & Wildlife Service (FWS) to take a "hard look" at all significant effects, including the indirect and cumulative ones arising from this proposed action. Because the effects of the proposed action on the human environment are likely to be significant, FWS should prepare an Environmental Impact Statement (EIS), as required under the National Environmental Policy Act (NEPA). 42 U.S.C. §b4332(c); 40 C.F.R. § 1502.3. We also have several specific concerns and comments regarding the EA, as discussed below.

Data and Analysis

To begin, the assumption on page 1-2 that *"The County has asserted, and the State has reviewed and accepted, that none of the other potential sites met the requirements of TSRI and the Palm Beach County Business Development Board"* is incorrect. Scripps representatives have stated that TSRI requires 100 acres for itself and 400 acres for associated bio-tech industry businesses.

While no studies were conducted to identify other sites until well after the decision was made to place TSRI on Mecca Farms, other sites that meet these criteria do exist.

*“The County, with concurrence from FWS has determined that no alternative sites exist”... From what basis did FWS make this determination? Please provide documentation to support this statement.*

*Section 1-2 also states that “the County proposes to use a portion of the property to enhance surrounding environmentally-sensitive lands, meet regional water management goals and to buffer nearby residents.”*

We do not believe that it is possible to enhance environmentally sensitive lands by putting a research park in the middle of such lands and then setting aside a small portion of the biotechnological village as environmentally sensitive. The County could instead protect such precious lands by choosing one of the alternative sites.

On page 1-3, reference is made to CERP in the context of providing a flow way on Corbett that connects the L-8 reservoir to the C-18 canal. How was the size of the flow-way determined? Modeling is incomplete and it is unknown what the eventual needs will be for the restoration of Northern Palm Beach County and the Loxahatchee River, and no data has been provided to determine whether a 150 foot canal/flow way is adequate.

No land has been purchased to assure those connections. Flow ways have not yet been approved by the ACOE for CERP. If approved, how will the flow way be connected to the Palm Beach Aggregates rock pits?

2.2.1.1 Refers to the chosen alternative for impacts to Corbett. In it, reference is made to a “holistic” analysis instead of “piece-mealing” easement requests, however, the document contradicts itself by isolating the subject property from the larger impacts related to the development of Mecca Farms. There is no reason or justification to pretend that intense development is not proposed to occur. This analysis is severely lacking in the detail required of such an intense development in determining secondary and cumulative impacts.

Has the FWS looked at those secondary and cumulative impacts in the context of intense development adjacent to Corbett? If so, please provide any studies that were conducted. One cannot assume that the road will exist on its own, as the scope of the biotech is well understood. How are issues such as road-kill, lights, noise, run-off and other development related impacts to wildlife being addressed?

3.2.4, page 3-4 Visual/Aesthetics – the visual impacts resulting from intense development on the Mecca property are unquestionable to those wishing to experience the wilderness. The road itself presents a visual impact, as will construction equipment and buildings. How will hikers and others’ wilderness experience be affected by intense development on adjacent property? How will lighting impact citizens and scientists (astronomy) who need dark skies for viewing the night sky? Have surveys or questionnaires been sent to users of the Corbett to understand their issues?

### **Incomplete and Inaccurate Assessment of Impacts to Listed Species**

Incomplete consideration of listed species that may occur on the properties



Another deficiency in the Environmental Assessment, perhaps due to the short-time within which it was assembled, is that several listed species that are potentially present within the transfer area(s) were either intentionally or un-intentionally omitted from discussion. The current Conceptual Management Plan for J.W. Corbett Wildlife Management Area (FWC, 2003) includes lists of the flora and fauna that have been documented to occur on the property. A review of these lists in comparison with EA Table 3-7 (i.e., Protected Species that may Occur Within One or More Alternatives) indicates that that several species that are listed as endangered and/or threatened and which occur in the habitat types that are present within the proposed transfer areas were not identified in the EA. These include:

<u>Scientific Name</u> <u>Preference**</u>	<u>Common Name</u>	<u>Designated Status*</u>	<u>Habitat</u>
<i>Bletia purpurea</i>	Pinepink orchid	FDA-Threatened	Flatwoods
<i>Lilium catesbaei</i> Flatwoods	Catesby Lily	FDA-Threatened	Moist
<i>Pogonia ophioglossoides</i>	Rose Pogonia	FDA-Threatened	Wet Flatwoods
<i>Platanthera (Habenaria) nivea</i>	Snowy orchid	FDA-Threatened	Wet Flatwoods
<i>Spiranthes laciniata</i> sedge marshes	Lacelip ladiestress	FDA-Threatened	Hypericum-

There are also several additional threatened and/or endangered plants that are not included in Appendix E of the J.W. Corbett Management Plan but which are known to occur within the wetland habitats in Palm Beach and/or Martin Counties which would be affected by the proposed land transfer. The EA should include an analysis of potential adverse impacts to these species due to their potential presence on one or more of the properties being considered in the land transfer. These include:

<u>Scientific Name</u> <u>Preference**</u>	<u>Common Name</u>	<u>Designated Status*</u>	<u>Habitat</u>
<i>Calopogon multiflorus</i>	Many-flowered Grass Pink	FDA-Endangered	Flatwoods
<i>Harisella porrecta</i>	Needleroot airplant	FDA-Threatened	Mesic forests
<i>Pinguicula caerulea</i>	Blueflower Butterwort	FDA-Threatened	Flatwoods
<i>Tillandsia fasciculata</i> Swamps	Stiff-leaved Wild Pine	FDA-Endangered	Cypress
<i>Tillandsia utriculata</i> Cypress swamps	Giant Wild Pine	FDA-Endangered	Hammocks,

\* = Designations as identified in Section 5B-40.0055 Florida Administrative Code

\*\* = Habitat preferences taken from Guide to the Vascular Plants of Florida, R. Wunderlin.

Flora and fauna are listed as endangered or threatened due to their extremely low numbers and other factors (often habitat loss) that may result in extinction. It is our opinion that a decision regarding the proposed land transfer should not be made until such time as thorough surveys using scientifically appropriated protocols for these species has been completed within each the tracts that is being considered.

#### Inaccurate Assessment of Impacts to Listed Species

1000 Friends of Florida, the Florida Wildlife Federation and the National Wildlife Federation are concerned that, for the majority of the protected species listed on Table 3-7, the EA inappropriately identifies the Potential for Occurrence On-Site as 'Low'. In many cases, it appears that this determination may have been made primarily because the species did not happen to be seen on four specific days during November 2004. No information was provided regarding weather conditions on those days, and it is widely known that wildlife viewing opportunities are highly weather dependant. Additionally, many of the threatened and/or endangered species (e.g., indigo snake, snail kite, sandhill crane), are known to have large home range territories such that their absence on four particular days during November should not be misconstrued that they do not use the subject properties. Indeed, the JWCWMA was purchased in part because these lands *do provide* habitat for these listed species.

No evidence is provided that typical herpetofaunal inventorying techniques (e.g., drift fences) were used, and it is highly unlikely that casual observations for these species, including the indigo snake, would reveal the presence of these species unless such techniques were employed.

It is well documented that wood storks forage in shallow, isolated wetlands, and that as wetlands 'shrink' in size during the dry season, prey become more concentrated and wood storks are able to forage more efficiently and effectively. Hurricanes Frances and Jeanne both hit Palm Beach County during September 2004, dousing the subject properties with heavy rainfall events. To conduct surveys on four days during November 2004, when water levels were still high (and possibly too deep for wood storks to be able to forage) and then infer that the potential for this species to occur on site is "Low" is inappropriate and ill-based.

Similarly, during the wildlife surveys, the presence of apple snails (*Pomacea paludosa*) was noted, but no mention was made in the EA that this species is the sole prey item for the snail kite, a species that has been designated as endangered by both the State of Florida and the federal government. Snail kites are known to nest in the area and have been documented to occur in the vicinity. The EA authors inappropriately seem to make significant inferences based on their oft-repeated phrase that "The probability of occurrence is low due to a lack of documented sightings within one mile of any of the project alternatives." It should be obvious that with the variety of state-listed and federally-listed species that are present on the Corbett Wildlife Management Area, and with a very limited work force, property managers are not inclined to document the location of every sighting of every listed species. Additionally it should be recognized that the Florida Natural Areas Inventory (FNAI) database includes only those occurrences that are reported to them. The species profile for the Snail Kite (EA - Appendix B of the Ecological Assessment Technical Memorandum) indicates that for the protection and management of snail kites, it is recommended that there continue to be "mid-winter surveys to monitor population and identify areas used during droughts". This certainly implies that no conclusions regarding presence or absence of this species should be drawn based on the results of surveys on four days at an extreme high-water time of the year. This example further supports our contention that no decisions should be made regarding the transfer of lands until after methodical, science-based inventories are conducted and their results analyzed.

### Impacts to the Resource

We do not see any evaluation of the impacts of noise on wildlife in the document with the exception of the statement "*In no case does the 66dBA contour extend more than 100 feet into the JWCWMA. Therefore traffic noise impacts to wildlife and recreational area users would be negligible.*"

During the open house, we noticed that all reference to noise was in terms of impacts to humans, i.e. churches, schools, residences, etc., and the measure of 66 dB was the constant. The correlation to something we could identify with in real terms was described as the noise equivalent of a pick-up truck, lawnmower, or vacuum cleaner. There will be four to six lanes of divided highway and a medium sized city nearby with its associated noise levels from large trucks, lawnmowers, loading equipment, sirens, horns, music, etc. How many dBs are truly associated with these uses? Why and how was 66dB determined to be the noise level?

How will wildlife be affected by noise? When asked how those noise levels affected wildlife, the consultant had no answer. We were told that they did not check tolerable noise levels relevant to wildlife impacts. What will the noise levels be during construction?

How will Corbett be affected by the lighting that will be installed along the roadway and in the adjacent development? What are wildlife tolerances to artificial nocturnal lighting? How will lighting affect the blooming of plants in Corbett that may have indirect impacts on fruit set and wildlife foraging opportunities?

In addition, we asked the consultants about impacts to wildlife and why the study only talks about the swap land and not in larger terms. We know that if the larger development of the Mecca site were not taking place, there would not be a need to look at impacts on any portion of the Corbett at this time.

Page 3-1, Section 3.0 Methodology – we disagree with isolating the land swap from its cause, which is the development of a biotech park on Mecca Farms. This assessment treats the Corbett swap impacts as an isolated event with no secondary or cumulative impacts.

It is clear that there will be secondary and cumulative impacts from the development of an orange grove to a city roughly the size of West Palm Beach, and the consultants have failed to address these issues. Isolating the swap parcel from the larger questions ignores known and suspected impacts to the resource.

### Land Use

The methodology section also suggests that the future land uses are not likely to be affected by the land swap. The question of why we are conducting a land swap in the first place indicates that land uses are already being affected in the region, and again points to the problem of attempting to isolate the swap away from its cause.

It is a fact that adjacent large landowners are taking advantage of the rush to develop northwestern Palm Beach County. While the document states that this land transfer does not have any effect on regional development trends, we do know that this is only a small piece of what is happening in the area and that indeed, development trends have exploded as a result of the TSRI proposal on Mecca.

### Cumulative Impacts

The EA indicates that the Cumulative Analysis is based upon the definition by the Council on Environmental Quality, which states that "...the impact on the environment which results from the incremental impact of the action when added to other past present and reasonably foreseeable future actions regardless of what agency (federal or non-Federal) or person undertakes such other actions". 40 C.F.R. § 1508.7. It further identifies that "This analysis identifies a number of

environmental effects that are reasonably likely to result from secondary actions related to the alternatives under consideration.” Unfortunately, the EA does not then proceed to accurately identify, describe and evaluate the various indirect impacts of the project.

Within these contexts, it is completely illogical that the EA avoids addressing the reality that the proposed land transfer is related to the construction of Seminole-Pratt Whitney Rd. and but not for the Biotechnology Research Park, this road would be being proposed at this time. The cumulative impacts that should be addressed in the EA, therefore include:

- Environmental impacts associated with all aspects of the transportation network that are required as a result of the proposed project. Comments on the Biotechnology Research Park DRI application by the Treasure Coast Regional Planning Council indicate that without additional upgrades, the project will result in 51 substandard roadway segments. (TCRPC, 2004).
- Wildlife mortality that is likely to occur as the result of construction of the road network
- Wildlife mortality that is likely to occur as the result of construction of the infrastructure proposed.
- Ability for JWCWMA land managers to continue to manage with fire and therefore manage for fire dependant floral and faunal species (e.g., red-cockaded woodpecker)
- Effects of the use of pesticides and herbicides that will likely be applied to control pests on the roadsides
- Effects of using chemical mosquito control on the food web.
- Potential adverse impacts of street lighting on nocturnal and diurnal species

Section 4.5.7.4 implies that the conservation land lost at JWCWMA would be compensated for by the Minkin land. The Minkin land does not provide an added value to the environment as it already exists, and the County would still be losing the conservation land.

On Page 4-38, Paragraph 2, the EA states that “the loss of wildlife-related values in Parcels A and B would be replaced with the addition of the Minkin Parcel to the JWCWMA.” Wildlife-related values are an inherent part of the Minkin Parcel so it is not a matter of substitution. Wildlife-related values will be lost by development on any of the alternatives; changing the boundaries of the JWCMA does not change the fact that wildlife will be adversely affected. In other words, the Minkin property has the same environmental value independent of who owns or manages it unless it is allowed to be developed.

### **Inappropriate Identification of Controversy Potential**

In Section 4.2.8 (Controversy Potential), the EA states that, for Alternative 1-B (the option that involves construction of a new electrical substation on JWCWMA lands) “Minor controversy is anticipated from the public”. In representing our thousands of members, 1000 Friends of Florida and The Florida Wildlife Federation hereby strongly expresses its opposed to the permanent conversion of Corbett Wildlife Management Area lands for the purposes of constructing and operating an electrical substation. This opposition is particularly more vehement due to the fact that other alternatives exist that would result the substation being placed within the property where there is the demand for the additional electrical service.

## The Document

The document itself contains redundancy and is difficult to follow, making public comment burdensome and difficult. It probably could have been less than half its size and arranged better for more effective use. This is a document meant for and paid for by the public to assess their land, and should have better targeted to that audience. It is essential to provide a scientific review and that work can be provided in a more reader-friendly manner.

The report leaves out much information regarding wildlife occurrence, listed species information, and nesting and denning. It relies on random data that may be incorrect or incomplete rather than field work, and does not address noise, lights, road and adjacent development impacts.

It implies that this swap is taking place in a vacuum, when we all know it is a part of a much larger development scheme which does, in fact, have regional impact. The report does not address secondary nor cumulative impacts to wetlands, wildlife, or listed species.

A hard copy of the document was difficult to get. It was offered at the library, online, or sent to a short list of recipients. Some people do not have computers or do not choose to use them, and trying to decipher, copy, and respond to this document in the library would have been a nightmare.

## Conclusion

This report is another attempt to piecemeal the development process of a very important project to make it seem more palatable and less damaging than it is. It glosses over issues that should have been starting points for debate over whether this is the intent for the best use of public conservation land. It lacks solid scientific data, and it substitutes general data for real field study. It ignores the regional development implications, and does not begin to address secondary or cumulative impacts to public lands.

To reiterate, we strongly urge the FWS to prepare an EIS to ensure that it takes the requisite hard look at the significant direct, indirect, and cumulative effects the proposed land transfer will have on Corbett. In fact, because of the huge implications of the Corbett transfer for facilitating adjacent development, we also suggest a full EIS be done for Corbett, Hungryland Slough, Loxahatchee Slough, Loxahatchee River, Grassy Waters Preserve, and other publicly owned lands in Northwestern Palm Beach County.

Sincerely,

Joanne Davis  
Community Planner  
1000 Friends of Florida

Lisa Interlandi  
Treasure Coast Regional Counsel  
Environmental and Land Use Law Center

Manley Fuller  
President  
Florida Wildlife Federation

Laura Hartt  
Environmental Policy Specialist  
National Wildlife Federation

### Literature Cited

Field Guide to the Rare Plants of Florida., 2000. Linda Chafin, Florida Natural Areas Inventory

Florida Administrative Code. Section 5B-40.0055

Florida Fish and Wildlife Conservation Commission, 2003. A Conceptual Management Plan for J.W. Corbett Wildlife Management Area. 177 pp.

Treasure Coast Regional Planning Council, 2004. Assessment Report for the Palm Beach County Biotechnology Research Park Development of Regional Impact.

Wunderlin, Richard P. 1998. Guide to the Vascular Plants of Florida. University Press of Florida. Gainesville, FL. 806 pp.



# Miccosukee Tribe of Indians of Florida

**Business Council Members**  
Billy Cypress, Chairman

Jasper Nelson, Ass't. Chairman  
Max Billie, Treasurer

Andrew Bert Sr., Secretary  
Jerry Cypress, Lawmaker

February 6, 2005

Mr. Michael L. Piccirilli  
Chief, Federal Assistance  
U.S. Fish & Wildlife Service  
1875 Century Blvd., Suite 240  
Atlanta, GA 30345-3319

Dear Mr. Piccirilli:

The Miccosukee Tribe received your letter concerning the proposed land transfer and resulting EA of the J.W. Corbett Wildlife Management Area in Palm Beach and Martin Counties, FL. After consultation with Mr. Dayhoff and careful review of the documentation provided, the Tribe determined that there is no cultural, historical, or religious site of the Tribe at this location. This determination was based on the documentation provided by the U.S. Fish and Wildlife Service.

Thank you for consulting with us. Please call me at (305) 223-8380, Ext. 2244, if you require further information.

Sincerely,

Steve Terry  
NAGPRA & Section 106 Representative

FEB 14 AM 9:58



Jeb Bush  
Governor

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

Colleen M. Castille  
Secretary

February 15, 2005

Mr. Mike Piccirilli, Chief  
Division of Federal Assistance  
U.S. Fish and Wildlife Service  
1875 Century Boulevard, Suite 240  
Atlanta, GA 30345

RE: U.S. Fish and Wildlife Service – Environmental Assessment of a  
Proposed Land Transfer – J.W. Corbett Wildlife Management Area  
Palm Beach and Martin Counties, Florida  
SAI # FL200501110363

Dear Mr. Piccirilli:

The Florida State Clearinghouse has coordinated a review of the above-referenced Environmental Assessment (EA) and, based upon comments received from reviewing agencies as described below and attached, the state has no objection to the proposed project. The EA was prepared for the United States Fish and Wildlife Service (USFWS) to support its decision on a request by the Florida Fish and Wildlife Conservation Commission (FWCC) to change the authorized use of two parcels of land within the J.W. Corbett Wildlife Management Area (JWCWMA). The subject parcels consist of 28.37 acres and 1.63 acres. Funds for acquisition of the JWCWMA were provided under the federal Pittman-Robertson Wildlife Restoration Act, and any change to the purpose for which the lands were acquired must be approved by the USFWS. The FWCC's change-of-use request was prompted by a request from Palm Beach County (the County) to use the two parcels of JWCWMA lands for certain infrastructure to support the proposed Palm Beach County Biotechnology Research Park (PBCBRP). In exchange for use of the lands, the county proposes to purchase and convey to the State of Florida a 60-acre parcel of undeveloped land adjacent to the northern boundary of the JWCWMA (the Minkin Parcel). The following is a synopsis of remarks submitted to the Clearinghouse by reviewing agencies.

The FWCC notes that its staff participated in development of the EA and that the USFWS has already addressed concerns that FWCC expressed at the initiation of the EA preparation process. Accordingly, the FWCC has no further comments on the EA.

The South Florida Water Management District (SFWMD) notes that on December 8, 2004, the district governing board approved issuance of an Environmental Resource Permit (ERP), granting conceptual approval for a surface water management system for the entire 1,919-acre PBCBRP site, as well as construction and operation approval for Phase 1A of the PBCBRP (535 acres). During its review of the conceptual permit application, the SFWMD evaluated potential impacts associated with construction of the support infrastructure and determined that additional

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mitigation will be required when those facilities are constructed. The mitigation will be provided within the southern lake and natural areas of the PBCBRP and in the Unit 11 Mitigation Area created by agreement between the SFWMD and Palm Beach County dated January 11, 2000. Approval of the County's request for a 28.37-acre easement within the JWCWMA (Preferred Alternative 1B) would be consistent with the conceptual permit already issued by the SFWMD. Please refer to the enclosed project information sheet for additional information.

The Florida Department of Environmental Protection (DEP) notes that the proposed change in land use will accommodate reestablishment of the hydrologic connection between the L-8 basin and the Loxahatchee River. The proposed flow-way connection is a component of the North Palm Beach Part 1 Everglades restoration project, which will allow water to move from the L-8 storage areas to the Loxahatchee River, thereby restoring more natural seasonal flows to the river system. Please refer to the enclosed DEP memorandum for additional comments and clarifications regarding the EA.

The DEP also notes that the proposed activities will require a National Pollutant Discharge Elimination System (NPDES) permit, as indicated in Appendix A.5. of the EA. The applicant should contact Mr. Geoff Rabinowitz at (850) 245-7521 for specific NPDES stormwater permit requirements. The DEP's Division of State Lands notes that in August 2004, the Acquisition and Restoration Council reviewed and approved Palm Beach County's proposed use of Trustees' lands within the JWCWMA. The approval was issued with the caveat that should the Scripps Institute be developed in an alternative location, the Council's approval would be null and void.

The Division of Historical Resources of the Florida Department of State (DOS) notes that a cultural resource assessment survey of the three parcels involved in the proposed land transfer had previously been reviewed by the DOS. The reconnaissance survey encountered no archaeological or historical resources on any of the tracts. Based on the negative results of the survey, the cultural resources consultant determined that the proposed property transfer would have no effect on properties listed (or eligible for listing) in the *National Register of Historic Places* or otherwise of historical or archaeological value. The DOS concurred with the consultant's determination that the proposed land transfer would have no effect on historical resources. Please see the enclosed letter from the DOS for additional comments.

The Florida Department of Transportation (FDOT) indicates that FDOT staff contacted the USFWS to gain clarification on the specific delineation and acreage of Parcel A, associated with the land transfer. The FDOT had originally raised a concern that the proposed parcel might not be of sufficient size to accommodate future transportation needs in and around the intersection of Seminole/Pratt-Whitney Road and SR-710, a Florida Intrastate Highway System facility. Based on FDOT and USFWS coordination efforts, however, FDOT has now confirmed that Parcel A is sufficiently distant from the intersection that it will not affect FDOT's ability to widen that facility. Furthermore, the USFWS has revised the area associated with Parcel A from 1.25 acres to 1.63 acres, and has clarified that 160 feet will be provided for roadway use. That width should be sufficient to accommodate anticipated growth in the area. Based on additional information provided by the USFWS, FDOT has concluded that its initial concerns have been addressed.

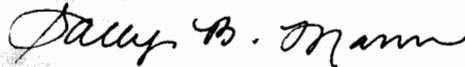
Mr. Mike Piccirilli  
February 15, 2005  
Page 3 of 3

The Treasure Coast Regional Planning Council (TCRPC) expresses concern about the potential net loss of pine flatwoods habitat for the red-cockaded woodpecker within the JWCWMA and requests that additional measures be considered to compensate for any such loss. The agency responsible for protection of the species (FWCC), however, has worked with the USFWS to address potential impacts to woodpecker habitat and has expressed no concerns with regard to potential habitat loss. Please see the enclosed project information sheet for additional comments by the TCRPC.

Based on the information contained in the application and the comments provided by the reviewing agencies, as summarized above and enclosed, the state has no objection to the proposed project. Authorizations required under the Pittman-Robertson Wildlife Restoration Act are not included in the list of federal actions requiring state review for consistency with the Florida Coastal Management Program under § 380.23(3)(c), *Florida Statutes*; therefore, no such review is reflected in this document.

Thank you for the opportunity to review the Environmental Assessment. If you have any questions regarding this letter, please contact Ms. Jasmin Raffington at (850) 245-2179 or Mr. Dan Lawson at (850) 245-2174.

Yours sincerely,



Sally B. Mann, Director  
Office of Intergovernmental Programs

SBM/dtl  
Enclosures

cc: Ernie Barnett, DEP  
Tim Gray, DEP, West Palm Beach  
Traci Wallace, FWCC  
Jim Golden, SFWMD  
Scott Edwards, DOS  
Charlotte Hand, FDOT  
Stephanie Heidt, TCRPC  
Mary Helen Blakeslee, OTTED



# Florida

Department of Environmental Protection

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## Project Information

<b>Project:</b>	FL200501110363
<b>Comments Due:</b>	February 04, 2005
<b>Letter Due:</b>	February 14, 2005
<b>Description:</b>	U.S. FISH AND WILDLIFE SERVICE - ENVIRONMENTAL ASSESSMENT FOR THE J.W. CORBETT WILDLIFE MANAGEMENT AREA, PROPOSED LAND TRANSFER - PALM BEACH AND MARTIN COUNTIES, FLORIDA. VIEW EA DOCUMENT ON USFWS WEBSITE: <a href="http://southeast.fws.gov/es/corbett/">HTTP://SOUTHEAST.FWS.GOV/ES/CORBETT/</a>
<b>Keywords:</b>	USFWS - EA, J.W. CORBETT WMA PROPOSED LAND TRANSFER - PALM BEACH AND MARTIN CO.
<b>CFDA #:</b>	15.634

## Agency Comments:

### COMMUNITY AFFAIRS - FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

No Comment

### ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

The DEP notes that the proposed change in land use will accommodate the reestablishment of the hydrologic connection between the L-8 basin and the Loxahatchee River. The proposed flow way connection is a component of the North Palm Beach Part 1 Everglades restoration project. This project will allow water to move from the L-8 storage areas to the Loxahatchee River, thereby restoring more natural seasonal flows to the river system. Please refer to the enclosed memo from DEP for additional comments and clarifications regarding the EA. The DEP further notes that the proposed activities will require coverage under a National Pollutant Discharge Elimination System Permit, as indicated in Appendix A.5. of the EA. The applicant is advised to contact Mr. Geoff Rabinowitz at (850) 245-7521 regarding specific NPDES Stormwater Permit requirements. The DEP's Division of State Lands notes that the Acquisition and Restoration Council reviewed and approved the proposed Palm Beach County land uses of Trustees' lands within JWCWMA in August of 2004. This approval was issued with the caveat that, should the Scripps Institute locate in an alternative location, all approvals would be null and void, thus insuring that these land uses were approved solely for the county to facilitate Scripps.

### FISH and WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

FWC staff participated in the development of the subject EA document and the USFWS has already addressed many of FWC's comments in the EA. Therefore, we do not have any additional comments at this time. Rich Mospens

### STATE - FLORIDA DEPARTMENT OF STATE

Based on the negative results of a previous cultural resource assessment survey, the cultural resources consultant determined that the proposed property transfer would have no effect on historic properties listed, or eligible for listing in the National Register of Historic Places, or otherwise of historical or archaeological value. The DOS concurred with the consultant's determination of no effect.

### TRANSPORTATION - FLORIDA DEPARTMENT OF TRANSPORTATION

This is in follow-up to our previous correspondence on the above referenced subject. We have been in contact with staff from the US Fish and Wildlife Service (USFWS) to gain clarification on the specific area of land associated with Parcel A of the land transfer. We originally raised a concern that the proposed Parcel A might not be sufficient to accommodate future transportation needs in the vicinity of the intersection of Seminole/Pratt-Whitney Road, and SR-710, a Florida Intrastate Highway System facility. Based on our coordination efforts, we have confirmed that Parcel A is sufficiently distant from the intersection with SR-710 that it will not affect our ability to widen that facility. Further, the USFWS has revised the area associated with Parcel A, from 1.25 acres to 1.63 acres, and have clarified that a 160 feet will be provided for roadway use. This width should be sufficient to accommodate any anticipated growth that could occur in this area. Based on this additional information, we have concluded that our original concerns have been addressed.

**SOUTH FLORIDA WMD - SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

The District approved an Environmental Resource Permit (No. 50-06558-P) for the Palm Beach County Biotechnology Research Park (PBCBRP) at the December 9, 2004, Governing Board Meeting. The conceptual permit evaluated the secondary wetland impacts associated with the proposed FPL substation and the widening and extension of Seminole Pratt Whitney Road for the development of the PBCBRP. The proposed mitigation for these impacts would be accomplished through on-site mitigation in the Southern Lake and Natural Area of the PBCBRP and Unit 11, respectively. The proposed Alternative 1B is consistent with the conceptual permit issued by the District. The District offers the following comments in review of the Environmental Assessment for the J.W. Corbett Wildlife Management Area (JWCWMA) Proposed Land Transfer. The assessment indicates that all of the proposed alternatives contain wetlands. Impacts to these wetlands will require an Environmental Resource Permit from the South Florida Water Management District. The District will require to the extent possible, that all mitigation for wetlands impacts, including hydrologic enhancement and restoration of on-site wetlands, be conducted on or in the immediate vicinity of the project site. Restoration of historical wetlands, upland preservation, or upland enhancement that complements and facilitates the establishment of contiguous wildlife corridors will be given high priority in the evaluation of mitigation for wetland impacts. The amount of mitigation required will be based upon the Uniform Mitigation Assessment Method (UMAM). The proposed Land Transfer of the 30-acre Corbett Parcels A & B for the 60-acre Minkin Parcel will not be considered wetland mitigation for impacts associated with the proposed construction of the F.P.L. Substation and Seminole Pratt Whitney Road.

**ENVIRONMENTAL POLICY UNIT - OFFICE OF POLICY AND BUDGET, ENVIRONMENTAL POLICY UNIT**

No Comment

**TREASURE COAST RPC - TREASURE COAST REGIONAL PLANNING COUNCIL**

The main regional issue is that the JWCMA is the last remaining refuge in the Region for the federally endangered Red-cockaded Woodpecker. This population has suffered a significant decline during the past twenty years. This species relies on frequently burned mature pine flatwoods for survival. The Environmental Assessment has identified five Red-cockaded Woodpecker colony sites in JWCWMD. The assessment indicates that the proposed change in land use will not directly impact any of the existing Red-cockaded Woodpecker colony sites in the JWCMA. Regarding Red-cockaded Woodpecker habitat, the exchange of the 60-acre parcel in Martin County will result in a gain of 6.81 acres of hydric pine flatwoods and a loss of 12.30 acres of pine flatwoods. The net result is a loss of 5.49 acres of habitat available to the Red-cockaded Woodpecker for foraging and the establishment of new colony sites. Because of the extreme rarity of the Red-cockaded Woodpecker in the Treasure Coast Region, the County, State, and Federal governments should consider additional measures to compensate for the loss of this habitat. Additional measures can include protection of additional pine flatwoods habitat or enhanced research and management of the existing population in JWCWMA.

**OTTED - OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT**

For more information please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD MS-47  
TALLAHASSEE, FLORIDA 32399-3000  
TELEPHONE: (850) 245-2161  
FAX: (850) 245-2190

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# FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



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January 26, 2005

RECEIVED

JAN 28 2005

OIP / OLGA

Ms. Lauren Milligan  
Environmental Consultant  
Florida State Clearinghouse  
Department of Environmental Protection  
3900 Commonwealth Boulevard, Mail Station 47  
Tallahassee, FL 32399-3000

Re: SAI #FL200501110363C, USFWS –  
EA, J.W. Corbett WMA Proposed  
Land Transfer – Palm Beach and  
Martin Counties

Dear Ms. Milligan:

The Florida Fish and Wildlife Conservation Commission (FWC) is in receipt of the "January 2005 Environmental Assessment (EA) for the J.W. Corbett Wildlife Management Area Proposed Land Transfer, Palm Beach and Martin Counties, Florida", as submitted by the U.S. Fish and Wildlife Service, United States Department of the Interior (USFWS) on January 7, 2005.

Due to our involvement in the concerned matter as it relates to its potential affect on the J.W. Corbett Wildlife Management Area, the FWC received a preliminary draft of the EA and submitted our comments to USFWS at that time. We note that many of our comments were subsequently addressed; therefore, we do not have any additional comments at this time.

Should there be any questions, please feel free to contact Mr. Rich Mospens at (850) 488-3831.

Sincerely,

A handwritten signature in black ink that reads "Mary Ann Poole". The signature is written in a cursive, flowing style.

Mary Ann Poole, Director  
Office of Policy and Stakeholder Coord.

map/rm

**TO:** Florida State Clearinghouse

**THROUGH:** Jasmin Raffington, Program Administrator  
Office of Intergovernmental Programs

**FROM:** Ernie Barnett, Director  
Office of Ecosystem Projects

**DATE:** February 1, 2005

**SUBJECT:** Review of U.S. Fish and Wildlife Service – Environmental Assessment for the proposed transfer of lands from the J.W. Corbett Wildlife Management Areas to Palm Beach County, SAI No. FL04-0363C

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### **Background**

Palm Beach County and the U.S. Fish and Wildlife Service prepared the subject environmental assessment to address the proposed change in land use for 30 acres in the J.W. Corbett Wildlife Management Area. The two tracts (28.37 acres and 1.63 acres) would be used for purposes other than which they were acquired with federal funds to accommodate the proposed Scripps Institute Research Institute facility, related ancillary development and to reestablish a flow way between the L-8 watershed and the Loxahatchee River. The proposed flow way is a component of the North Palm Beach County Part 1 Comprehensive Everglades Restoration Project and will contribute to the restoration of more natural water flows to the Loxahatchee River. To offset the proposed land use change Palm Beach County will donate a 60 acre tract near the existing northeast boundary of the J.W. Corbett Wildlife Management Area.

### **Comments**

The Office of Ecosystem Projects supports the proposed change in land use to accommodate the reestablishment of the hydrological connection between the L-8 basin and the Loxahatchee River. The proposed flow way connection is a component of the North Palm Beach Part 1 Everglades restoration project. This project component will allow water to move from the L-8 storage areas to the Loxahatchee River, thereby restoring more natural seasonal flows to the river system.

Section 3.4.2 *Water Quality* provides a hydrological description and water quality classification of waters in the project area but contains no water quality data. This section should be renamed or revised to include water quality data for waters in the project area, downstream areas and an analysis of the potential water quality impacts of the proposed uses of the transferred lands.

This section also says that the Loxahatchee River located 10 miles downstream of the project area is a designated National Wild and Scenic River. Only a portion, 7.6 miles of the river is

designated as wild and scenic and described below in the 1998 Wild & Scenic Rivers Interagency Wild and Scenic Rivers Coordinating Council report.

In 1985, the federal government formally recognized the uniqueness and beauty of the Loxahatchee River by distinguishing it as a Federally Designated Wild & Scenic River to be administered by the State.

***Loxahatchee River, Florida***

*The designated section of river flows slowly through a subtropical swamp under a bald cypress canopy. The river was authorized for study by Congress in 1978. The NPS studied the river and determined that only a short 7.6-mile stretch was eligible because the remainder had been modified for shoreline development. The study also determined that the appropriate administrator would be the state of Florida because 4.25 miles flow through Jonathan Dickinson State Park, 1/2 mile through a county park, and the South Florida Water Management District planned to purchase the remaining privately owned shoreline for additional parkland. Local land use controls offer protection for land beyond the shoreline.*

Section 3.4.2 also says that the Loxahatchee River is listed by the Florida Division of Forestry as an Outstanding Florida Water. The DOF may list the water but the Department of Environmental Protection designates outstanding Florida waters under 62-302, Florida Administrative Code.

To compensate for the loss of conservation lands with the J.W. Corbett Wildlife Management Area, Palm Beach County will donate the 60 acre Minkin parcel located on the northern boundary. This parcel contains good quality, undisturbed wetlands consisting of hydric pines, freshwater marsh and cypress forest.



FLORIDA DEPARTMENT OF STATE  
**Glenda E. Hood**  
Secretary of State  
DIVISION OF HISTORICAL RESOURCES

RECEIVED

JAN 19 2005

OIP / OLGA

Ms. Lauren Milligan, Director  
Florida State Clearinghouse  
3900 Commonwealth Boulevard MS-47  
Tallahassee, Florida 32399-3000

January 13, 2005

Re: SAI # FL200501110363C – U.S. Fish & Wildlife Service  
Environmental Assessment for the J. W. Corbett Wildlife Management Area  
Proposed Land Transfer / Palm Beach and Martin Counties  
DHR Project File No. 2005-293

Dear Ms. Milligan:

Our office received and reviewed the above referenced project in accordance with Section 267.061 *Florida Statutes*, Section 106 of the *National Historic Preservation Act of 1966*, as amended and 36 *CFR Part 800: Protection of Historic Properties*. The State Historic Preservation Officer is to advise Federal and State agencies as they identify historic properties (listed or eligible for listing, in the *National Register of Historic Places*), assess effects upon them, and consider alternatives to avoid or minimize adverse effects.

This agency previously reviewed a cultural resource assessment survey of the three parcels involved in the proposed land transfer. The reconnaissance survey encountered no archaeological or historical resources on any of the tracts. Based on the negative results of this survey, the cultural resources consultant determined that the proposed property transfer would have no effect on historic properties listed, or eligible for listing in the *National Register of Historic Places*, or otherwise of historical or archaeological value. This agency concurred with the consultant's determination of no effect.

If you have any questions concerning our comments, please do not hesitate to contact Susan Harp at (850) 245-6333. Thank you for your interest in protecting Florida's historic resources.

Sincerely,

*Laurel A. Hammer*

*for*

Frederick Gaske, Director

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